



**Rules of
Elected Officials
Division 30—Secretary of State
Chapter 70—Safe at Home: Address Confidentiality
Program**

Title	Page
15 CSR 30-70.010 Definitions	3
15 CSR 30-70.020 Application Assistant Training, Registration and Renewal.....	3
15 CSR 30-70.030 Program Participant Application and Certification Process	4
15 CSR 30-70.040 Cancellation of Program Certification	4
15 CSR 30-70.050 Exercise of Program Participant’s Privileges	5
15 CSR 30-70.060 Service of Process	5
15 CSR 30-70.070 Program Participant Renewal	5
15 CSR 30-70.080 Agency Disclosure Request	6
15 CSR 30-70.090 Disclosure to Law Enforcement.....	6



Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 70—Safe at Home: Address Confidentiality Program

15 CSR 30-70.010 Definitions

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule provides definitions of terms in addition to those found in section 589.660, RSMo for the administration of the program.

(1) Address—A residential street address, school address, or work address of a person, as specified on the person's application to be a Safe at Home Program participant.

(2) Authorization card/letter—Card or letter issued by the secretary of state to a Safe at Home Program participant upon certification to the Safe at Home Program, which includes the Safe at Home Program participant's name, authorization code, voter code, designated address, signature and certification expiration date.

(3) Authorization code—A number assigned to a Safe at Home Program participant upon acceptance into the Safe at Home Program.

(4) Application—Standard application form provided by the secretary of state which must be completed by an applicant to the Safe at Home Program with approval of an application assistant as defined by section 589.663, RSMo.

(5) Application assistant—An employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, rape, sexual assault, or stalking and who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of Safe at Home Program participation applications.

(6) Certification—The process by which an applicant is determined eligible to participate in the Safe at Home Program.

(7) Designated address—The address assigned to a Safe at Home Program participant by the secretary.

(8) Mailing address—An address that is recognized for delivery by the United States Postal Service.

(9) Program—The Safe at Home: Address Confidentiality Program established in section 589.663, RSMo.

(10) Program manager—Employee of the Office of the Secretary of State designated by the secretary to administer the Safe at Home Program pursuant to sections 589.660–589.681, RSMo.

(11) Program participant—A person certified by the secretary of state as eligible to participate in the Safe at Home Program.

(12) Qualified agency—A state or local agency or nonprofit program that provides counseling, referral, shelter or other specialized service to victims of domestic abuse, rape, sexual assault or stalking.

(13) Secretary—The secretary of state. This may also include the secretary of state's office and the secretary's designee.

(14) Voter code—A number assigned to a Safe at Home Program participant upon acceptance into the Safe at Home Program which is to be used for identification purposes when registering to vote or when voting.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.020 Application Assistant Training, Registration and Renewal

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for application and registration to the program by application assistants.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) All application assistants shall be trained and registered by the secretary in order to participate in the program.

(2) The application assistant may only be registered when the prospective application assistant:

(A) Is a service provider or works with a qualified agency and can demonstrate to the secretary relevant qualifications to work with victims of domestic abuse, rape, sexual assault or stalking;

(B) Successfully completes a program orientation and training session sponsored by the secretary;

(C) Completes an application for prospective application assistants on a form provided by the secretary, which includes, but is not limited to, the applicant's name, service provider or agency, address of service provider or agency, telephone number of service provider or agency, supervisor's name and relevant qualifications. The application assistant application form, incorporated herein by reference, is published by the Missouri Secretary of State, PO Box 1767, Jefferson City, MO 65102-1767. This form does not include any amendments or additions. The form is available at the secretary of state's office or may be obtained by email to safeathome@sos.mo.gov or by mailing a written request to Safe at Home, PO Box 1409, Jefferson City, MO 65102-1409;

(D) Agrees to adhere to the policies, procedures and directions provided by the program manager for rendering assistance to program applicants;

(E) Agrees to adhere to the instructions and terms provided in the application assistant agreement including the obligation to notify the secretary of any change of employment; and

(F) Registers with the secretary as a voter registration solicitor on a form provided by the secretary, if the prospective application assistant would otherwise be required to register as a voter registration solicitor under section 115.205 RSMo Supp. 2007.

(3) Application assistant registration shall be valid for two (2) years, unless terminated sooner as provided in these rules.

(4) The application assistant shall agree not to discriminate against any client, or potential program participant, because of race, creed, color, national origin, gender, sexual orientation, age, or mental, physical or sensory disability.

(5) The application assistant performing under this contract is not deemed to be an



employee of the secretary or an agent of the secretary in any manner whatsoever. The application assistant will not hold herself/himself out as, nor claim to be an officer or employee of the secretary or of the state of Missouri simply because she/he is a program application assistant and will not make any claim, demand, or application to or for any right or privilege applicable to an officer or employee of the secretary or of the state of Missouri.

(6) An application assistant's registration may be terminated by the secretary for failing to abide by any requirement in this rule or for failing to act in accordance with requirements of the program.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.030 Program Participant Application and Certification Process

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for application and certification to the program by prospective participants.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) A program applicant shall complete and sign the standard application form provided by the secretary and provide all the information required under section 589.663 RSMo and these rules. The standard application form shall include, but not be limited to, the application preparation date; the applicant's signature; and the signature, and registration number of the application assistant who assisted the applicant in applying to become a program participant, as provided in section 589.663 RSMo; a designation of the secre-

tary as agent for purposes of service of process and for receipt of first-class mail, legal documents and certified mail; a sworn statement by the applicant that she/he has good reason to believe that she/he is a victim of domestic violence, rape, sexual assault or stalking and that she/he fears further violent acts from his or her assailant; the mailing address where the applicant may be contacted by the secretary and the telephone number or numbers where the applicant may be called by the secretary; and any address that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household. The applicant shall be provided the option to sign a form authorizing the secretary, or the secretary's designee, to open and review legal documents addressed to the program participant at the designated address, including but not limited to summonses, writs, demands, notices or service of process, that are delivered by personal service, certified mail or United States Postal Service, before forwarding such documents to the participant, to enable the secretary to notify the participant if an immediate response is required from the participant. The applicant may attach any relevant supporting documentation such as police reports or court documents. The program participant application form, 2007, incorporated herein by reference, is published by the Missouri Secretary of State, PO Box 1767, Jefferson City, MO 65102-1767. This form does not include any amendments or additions. The form is available at the Secretary of State's office or may be obtained by email to safeathome@sos.mo.gov or by mailing a written request to Safe at Home, PO Box 1409, Jefferson City, MO 65102-1409.

(2) The application assistant who assists the applicant shall provide the applicant with the opportunity to register to vote or to change the name or address on the applicant's voter registration record on forms provided by the secretary. The completed voter registration application shall not contain the applicant's address. The completed voter registration application shall be transmitted to the secretary with the applicant's completed program application.

(3) The application assistant who assists the applicant shall forward by first-class mail or by facsimile transmission (FAX) the completed application to the program manager of the secretary within twenty-four (24) hours of completion. If the application is forwarded by FAX the application assistant shall also

mail the original application to the secretary. The application assistant shall not make or keep a copy of the application. The secretary shall provide return envelopes and a FAX number to application assistants to expedite return of the program applications.

(4) A properly completed application shall be effective on the day that it is certified by the program manager. The program manager shall, within five (5) days of receipt of a completed application, either certify the applicant for participation in the program or notify the applicant of the reason(s) why the applicant was not certified.

(5) An individual who is certified as a program participant shall be issued an authorization card/letter which includes her/his name, authorization code, designated address, voter code, signature and certification expiration date immediately upon certification by the program manager.

(6) The term of a program participant's certification shall be four (4) years following the effective date of her/his application unless the certification is withdrawn or cancelled before that date pursuant to section 589.666, RSMo or these rules. The program manager shall send a program participant notification of lapsing certification and a reapplication form not later than four (4) weeks prior to the expiration of the program participant's certification.

(7) If there is a change in the program participant's name, mailing address or other address from the one listed on the application, the program participant shall notify the program manager of such change within ten (10) days of the change on a form prescribed by the secretary.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.040 Cancellation of Program Certification

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for cancellation of certification to the program.



(1) Program certification shall be canceled if any of the following occur:

(A) The program participant fails to notify the program manager in writing signed by the participant of a change in the program participant's name or mailing address within ten (10) business days of the change; or

(B) Any one of the cancellation conditions provided for by section 589.666, RSMo.

(2) Upon notification of cancellation of her/his program certification, the program participant shall immediately destroy their authorization card/letter by cutting it into at least two (2) pieces and returning the pieces to the program manager.

(3) If certification for the program is canceled based on one (1) of the conditions set forth in section 589.666, RSMo or this rule, the program manager shall notify the program participant of the cancellation and the reasons for the cancellation by mail addressed to the participant's last known mailing address not less than two (2) weeks before the date that the cancellation will be effective.

(4) A program participant whose certification was canceled for failure to inform the program manager of a change of name or mailing address may reapply for certification.

(5) The secretary shall not make a former program participant's address available for inspection or copying except as provided for by sections 589.672 and 589.675, RSMo.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.050 Exercise of Program Participant's Privileges

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process of exercise of program participant privileges.

(1) A program participant shall request that a court or state or local agency use the designated address assigned by the secretary as her/his address at the time of creation of any new record.

(2) A program participant shall show her or

his authorization card/letter to the court or state or local agency official creating a new record and request address confidentiality through use of the designated address in lieu of her/his address. The designated address shall appear on the program participant's authorization card/letter.

(3) Authorized court or state or local agency personnel may make a file photocopy of the authorization card/letter and shall immediately return the authorization card/letter to the program participant.

(4) A court or state or local agency shall accept the designated address unless the agency has received a written record disclosure determination from the secretary under section 589.669 or 589.672, RSMo and these rules.

(5) A court or state or local agency shall not question the program participant about the details or circumstances of her/his inclusion in the program. Rather, the court or agency shall accept the determination made by the secretary that she/he is a certified program participant.

(6) Authorized court or state or local agency personnel may request verification from the secretary of a program participant's residency in a geographic service district where such information is necessary to determine eligibility for agency services for the program participant or the participant's minor children, including but not limited to the verification of the participant's residence in a school or library district. Such requests shall be made in writing to the secretary of state. The secretary may respond verbally to such requests and confirm residency in the district without disclosing the program participant's address.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.060 Service of Process

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for service of process.

(1) The secretary shall be an agent of the program participant upon whom any summons, writ, notice, demand, or process may be served.

(2) Service on the secretary of any such summons, writ, demand, notice, or process shall be made by mailing to the designated address or by delivering to the secretary at her/his office, located at 600 West Main Street, Jefferson City, Missouri, two (2) copies of the summons, writ, notice, demand, or process.

(3) If a summons, writ, notice, demand, or process is served on the secretary, the secretary shall immediately forward a copy to the program participant at the participant's current mailing address as shown on the records of the program by certified mail.

(4) The secretary shall maintain, in the program participant's file, a record of all summonses, writs, notices, demands, and processes served upon the secretary for that participant. The secretary shall include in the file the date of such service and the secretary's action upon receipt of service.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.070 Program Participant Renewal

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for program participant certification renewal.

(1) A program participant may renew her/his program participation by filing a properly completed renewal form with the program manager. The renewal form shall be sent to the participant with the notification of lapsing certification required by section 589.663, RSMo and these rules at least four (4) weeks before the expiration of the participant's current certification.

(2) The program manager shall certify a program participant, who has filed a properly completed certification renewal form, to participate in the program for an additional four (4)-year term unless the certification is withdrawn or cancelled before that date.



(3) Upon receipt of a properly completed renewal form, the program manager shall issue to the program participant a new authorization card/letter which includes the program participant's name, authorization code, voter code, designated address, signature and new certification expiration date. Upon receipt of the new authorization card/letter, the participant shall destroy her/his expired card.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.080 Agency Disclosure Request

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for agency disclosure requests.

(1) An agency requesting disclosure of a program participant's address or of a category of participants or records under sections 589.669 and 589.672, RSMo, must provide in writing to the secretary:

(A) Identification of the statute or administrative rule which demonstrates the agency's bona fide requirement and authority for the use of the address and mailing address of an individual or individuals;

(B) Identification and description of the specific record or record series for which disclosure is requested;

(C) Identification of the individuals who will have access to the record or records; and

(D) An explanation of why the agency cannot meet its statutory or administrative obligations by changing its procedures or rules.

(2) The secretary shall accept and review an agency's request for disclosure. The secretary shall notify the program participant of the request for disclosure using the contact information provided in the participant's program application.

(3) During the review and evaluation or reconsideration of an agency's disclosure request, the agency shall accept the use of a program participant's designated address.

(4) The secretary's determination to grant or deny a disclosure request shall be based on, but not limited to, an evaluation of the infor-

mation provided under this rule in conformance with the statutory standard of a bona fide statutory or administrative requirement for the use of a program participant's address and mailing address.

(5) If the secretary determines that an agency has a bona fide statutory or administrative requirement for the use of a program participant's address and mailing address information and that the address and mailing address information will be used only for those statutory and administrative purposes, the secretary may issue a written disclosure order for the agency. The secretary shall inform the program participant of the disposition of the request for disclosure using the contact information provided in the participant's program application. When granting disclosure, the secretary may include:

(A) Any obligations for the agency to maintain the confidentiality of a program participant's address information;

(B) Any limitations on use and access to that address information;

(C) Any term during which the disclosure is authorized for the agency;

(D) Any designation of the record format on which the address information may be maintained;

(E) Any designation of an address information disposition date after which the agency may no longer maintain a record of the address information. The agency shall notify the secretary in writing of the disposition; and

(F) Any other provisions and qualifications determined appropriate by the secretary.

(6) When a program participant requests use of the designated address in a record, and the agency has received a disclosure order for that record:

(A) The agency shall immediately provide a copy of the written order to the requesting program participant; and

(B) The agency shall notify the program manager of the occurrence and denial of the program participant's request.

(7) The secretary's denial of an agency disclosure request shall be made in writing and include a statement of the specific reasons therefore.

(8) An agency may seek reconsideration of the denial of its request by resubmitting its written request within sixty (60) days of the issuance of a denial. The request shall be accompanied by additional information and an explanation of corrective action taken to alleviate concerns and considerations includ-

ed in the secretary's denial determination. Final administrative determination shall be made by the secretary.

AUTHORITY: section 589.681, RSMo Supp. 2007. Emergency rule filed Aug. 17, 2007, effective Aug. 28, 2007, expired Feb. 28, 2008. Original rule filed Aug. 17, 2007, effective Feb. 29, 2008.*

**Original authority: 589.681, RSMo 2007.*

15 CSR 30-70.090 Disclosure to Law Enforcement

PURPOSE: This rule facilitates the administration of the Safe at Home Program in accordance with sections 589.660–589.681, RSMo. This rule describes the manner and process for disclosure to law enforcement.

(1) A law enforcement officer requesting a program participant's address or mailing address under section 589.672, RSMo, must provide the request to the secretary. The secretary may accept a verbal request upon the secretary's determination that an emergency exists that requires immediate disclosure or may require a request to be in writing. The request must contain:

(A) The reason the address is required by that law enforcement officer or agency;

(B) Identification and description of the specific record or record series for which the exemption is requested;

(C) Identification of the individuals who will have access to the record;

(D) An explanation of why the law enforcement agency cannot meet its obligations by changing its procedures or rules;

(E) Identification of the requesting individual's direct supervisor and contact information for that supervisor; and

(F) In the case of a verbal request, the circumstances justifying a determination that an emergency exists.

(2) The secretary shall review the request. The secretary shall notify the program participant of the request for disclosure using the contact information provided in the participant's program application.

(3) The secretary's determination to grant or deny a disclosure request shall be based on, but not limited to, an evaluation of the information provided under this rule.

(4) If the secretary determines that a law enforcement officer or agency has a bona fide requirement for the use of a participant's address or mailing address information and



that the address or mailing address information will be used only for the purpose of satisfying that requirement, the secretary may issue a written or verbal disclosure order for the law enforcement agency. A written record shall be maintained of the facts relating to a verbal order. The secretary shall inform the program participant of the disposition of the request for disclosure using the contact information provided in the participant's program application. When granting the request, the secretary may include:

(A) Any obligation for the law enforcement agency to maintain the confidentiality of a program participant's address information;

(B) Any limitations on use and access to that address information;

(C) Any term during which the disclosure is authorized for the law enforcement agency;

(D) Any designation of the record format on which the address information may be maintained;

(E) Any designation of an address information disposition date after which the law enforcement agency may no longer maintain a record of the address information. The law enforcement agency shall notify the secretary in writing of the disposition; and

(F) Any other provisions and qualifications determined appropriate by the secretary.

(5) When a program participant requests use of the designated address in a record, and the law enforcement officer or agency has received a written disclosure order for that record:

(A) The law enforcement officer or agency shall immediately provide a copy of the written order to the requesting program participant; and

(B) The law enforcement officer or agency shall notify the program manager of the occurrence and denial of the program participant's request.

(6) The secretary's denial of a law enforcement agency's disclosure request shall be made in writing and include a statement of the specific reasons therefore.

(7) A law enforcement agency may seek reconsideration of the denial of its request by resubmitting its request within sixty (60) days of the issuance of a denial. The request shall be accompanied by additional information and an explanation of corrective action taken to alleviate concerns and considerations included in the secretary's denial determination. Final administrative determination shall be made by the secretary.

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**Original authority: 589.681, RSMo 2007.*

AUTHORITY: section 589.681, RSMo Supp.