# **Address Confidentiality Resources**

Oregon Public Records Law (<u>ORS Chapter 192</u>) requires the Elections Division to provide the public the right to inspect and make copies of public records, unless there is a basis for not releasing it and claiming an exemption from disclosing it.

# **Candidates for public office**

Candidates for public office are required to disclose their residential address for elections officials to confirm that candidates and elected officials reside in the appropriate district and/or jurisdiction.

However, candidates may submit a **Public Record Exemption request** to exempt their residence address from publicly accessible version of the filing form and a list of electors delivered under ORS 247.940 or 247.945. Candidates wanting to exempt their residence address, complete and file the following form:



SEL 180 - Public Record Exemption Request.

Candidates who choose to exempt their residence address from disclosure must provide a publicly disclosable mailing address.

The ballot for each election will be sent to the publicly disclosable mailing address provided by the candidate.

The Elections Official will make all efforts to review the request for exemption within five (5) business days.

If the exemption is granted, the exemption is effective until the:

- → person is no longer a candidate;
- → candidate was not elected to the public office;
- → candidate ceases to hold public office.

To terminate the exemption early, submit a written request to the Elections Official.

The residence address of a candidate is still subject to inspection as a public record, under ORS 192.311 to 192.478, only to a person who has filed a written public records request.

# **Judicial Candidates for public office**

Judges and Oregon Judicial Department (OJD) employees who wish to protect personal contact information from disclosure may use a <u>Non-Disclosure Order</u> signed by a judge. Personal contact information includes home address, personal electronic mail (email) address, and personal telephone number.

## Steps to limit access to your residential address displayed on ORESTAR

There are a few different places where an elected official's address may display: old candidacy filings, statements of organization and individual campaign finance transactions. *If you use a professional service for your campaign disclosures, you may want to contact them to request assistance.* 

- For individual campaign finance transactions, committees are required to report the address of contributors, but may provide a PO Box. If a contributor's address is changed to a PO Box, it will not update the address of previously filed transactions unless the committee takes action to amend those transactions. However, the history of transactions is still viewable by the public.
- For statements of organization, a person may not use a PO box, but they do not need to list their residence address. A candidate is required to provide the street address of a residence or an office, headquarters, or similar location where the candidate can conveniently be located. Please note that although the statement of organization address can be updated, the history may still display the address if it existed on previous filings.
- Anyone can submit a public record exemption request to the Oregon Elections
  Division. The request needs to be signed and sent to elections.sos@sos.oregon.gov.
  When the request is processed by the Elections Division, ORESTAR will attempt to identify addresses that may need to be exempt from public record. It does this by attempting to match names and addresses of individuals but cannot guarantee that all iterations of an elected official or candidate's address will be excluded from public record.

Please note that the Elections Division is unable to review individual transactions for exempt information. Additionally, the Elections Division cannot review petition sheets for exempt information. Addresses are not required to be listed on petition sheets, though they are helpful when trying to find the signer. PO boxes are allowed.

## Steps to limit access to your voter registration record

The Elections Division does not maintain voter registration records. If you are concerned about public access to your voter registration record, you must contact the county elections official in your county of residence.

To exempt a voter registration address from public record a voter would need to submit the SEL 550 to their county clerk. Please use the form below to request exclusion from the statewide voter file. This form should be returned to the applicant's local elections official. The form allows the applicant to submit evidence to document their concerns, however elections officials traditionally process these requests without requiring a lengthy explanation. These exemptions are granted at the discretion of the clerk.

https://sos.oregon.gov/voting/Documents/SEL550.pdf

## **Address Confidentiality Program**

The Oregon Department of Justice has an Address Confidentiality Program, "a free mail forwarding service. It helps survivors of domestic violence, sexual assault, stalking or human trafficking shield their physical address." Use the link below for more information.

https://www.doj.state.or.us/crime-victims/victims-resources/victims-services/address-confidentiality-program-acp/

#### All other individuals

The law allows the Elections Division to consider individual requests for exemption from disclosing information when there may be personal safety concerns. The law allows for the following personal information to be exempt from disclosure if disclosing the personal information would be a danger to your personal safety or a family member residing with you ("Family Member"):

- Home address
- Personal telephone number
- Personal electronic mail address.

You may make a request to exempt from disclosure the above personal information by providing satisfactory information to the Elections Division to review.

## **How to Submit a Request**

The law requires a written request for exemption. Please follow the instructions and provide all information required that will provide evidence sufficient to constitute a danger to the personal safety of you or the Family Member.

This evidence may include:

- Statement, including a sworn statement, Affidavits
- Court records
- Police reports
- Restraining orders
- Stalking protective orders

#### Examples of Documents that may be Submitted with a Request for Exemption

- Documentary evidence, including a written statement, that establishes to the satisfaction of the public body that disclosure of your home address, personal telephone number or personal electronic mail address would constitute a danger to your personal safety or that of a Family Member.
- Medical records, police reports, or court records showing that you or a Family Member has been a victim of domestic violence.
- A criminal citation or an order issued under ORS 133.055 for your protection or the protection of a Family Member.

- A declaration or police report showing that a law enforcement officer has been contacted concerning domestic violence, other physical abuse, or threatening or harassing letters or telephone calls directed at you or a Family Member.
- A temporary restraining order or other no-contact order to protect you or a Family Member from future physical abuse.
- Court records showing that criminal or civil legal proceedings have been filed regarding your physical protection or for a Family Member.
- A citation or a court's stalking protective order pursuant to ORS 163.735 or 163.738, issued or obtained for your protection or for a Family Member.
- A declaration or police report showing that you or a Family Member has been a victim of a person convicted of the crime of stalking or of violating a court's stalking protective order.
- A conditional release agreement issued under ORS 135.250-260 providing for your protection or for a Family Member.
- A protective order issued pursuant to ORS 135.873 or 135.970 protecting your or a Family Member's identity or place of residence.
- A declaration from a district attorney or deputy district attorney stating that you or a
  Family Member is scheduled to testify or has testified as a witness at a criminal trial,
  grand jury hearing or preliminary hearing, and that such testimony places the personal
  safety of the witness in danger.
- A court order stating that you or a Family Member is or has been a party, juror, judge, attorney or involved in some other capacity in a trial, grand jury proceeding or other court proceeding, and that such involvement places the personal safety of that individual in danger.

#### Review of Request; Decision; Further Requester Action

The Elections Division will make all efforts to review the request for exemption within five (5) business days. The Elections Division may request additional information from you to complete review of the request.

If the exemption is granted, the exemption is effective for **five years** from the date the request was received. At the end of the five-year period, you may make a new request to exempt your personal information. To terminate the exemption early, submit a written request to the Elections Division.