



WISCONSIN STATE SENATE

P. O. Box 7882 Madison, WI 53707-7882

Senators Jennifer Shilling & Scott Fitzgerald

Testimony in Support of SB 704: Safe at Home Program Updates

Senate Committee on Judiciary and Public Safety

February 6, 2018

Good afternoon Chairman Wanggaard and members of the committee. Thank you for holding a hearing on Senate Bill 704 (SB 704). We appreciate the opportunity to provide written testimony in support of this bill.

Last session, this committee unanimously passed legislation to create an address confidentiality program in Wisconsin. The Safe at Home program is housed within the Department of Justice (DOJ) and adds a needed layer of protection for victims of domestic abuse, stalking or human trafficking.

Safe at Home gives participants the opportunity to safely send and receive mail without divulging their location. By shielding their actual addresses after a move, and providing safety planning through DOJ, individuals or family members affected by abuse, stalking or human trafficking, can move forward with their lives with less concern that their perpetrators will find them.

Launched last March, the program enrolled over 200 people in the first six months. Safe at Home staff trained application assistants across the state who assist participants with safety planning and applying for the program.

As the program has grown, local victim advocates and participants have suggested ways to improve the program to better accommodate those utilizing a confidential address. Both of us were contacted by constituents who are participants and asked for changes to be made to improve their safety.

With guidance from Safe at Home and DOJ staff, End Domestic Abuse, and Legal Action, SB 704 was drafted to address a variety of concerns that were raised by participants.

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In at least one instance, a participant's address was intentionally disclosed by a landlord. The bill makes intentional disclosure of confidential information under the program a misdemeanor.

Participants in some rural areas raised concerns that their municipalities are not protected under the confidential address. In some areas, including the municipality is as good as providing the address. SB 704 would require municipalities to be part of the confidential address.

While some Safe at Home participants have been able to purchase land or homes under the program, there have been some instances where addresses were made public. Like other states have done, the bill allows DOJ to act as the registered agent and office for a single-member LLC if the member is enrolled in the program.

The bill also instructs DOJ to promulgate rules allowing a participant to consent to disclosure of his or her actual address by DOJ or another entity if such a disclosure is required for a public assistance program or property transaction. This will allow Safe at Home staff to work directly with the agency providing assistance to an individual or family without disclosing the address.

Finally, Safe at Home staff raised the concern that some people wish to exit the program, yet there is no process for disenrollment. The bill allows participants to disenroll if they no longer meet eligibility criteria.

For survivors of domestic abuse, stalking and human trafficking, safety is always a top concern as they rebuild their lives. We hope you will support SB 704, which will continue to improve Wisconsin's successful Safe at Home program.

Thank you.



**STATE OF WISCONSIN
DEPARTMENT OF JUSTICE**

BRAD D. SCHIMEL
ATTORNEY GENERAL

Paul W. Connell
Deputy Attorney General

Delanie M. Breuer
Chief of Staff

Michelle Viste, Executive Director
Office of Crime Victim Services
17 West Main Street
P.O. Box 7951
Madison, WI 53707-7951

(608) 264-9497
(608) 264-6368 FAX
(800) 947-3529 TTY

**Testimony of
Erin Welsh, Director of Safe at Home, Wisconsin Department of Justice
Testimony in Support of 2017 Senate Bill 704
Senate Committee on Judiciary and Public Safety
Tuesday, February 6, 2018**

Good afternoon. My name is Erin Welsh and I'm the director of Safe at Home, Wisconsin's address confidentiality program, which is administered by the Office of Crime Victim Services at the Wisconsin Department of Justice. I appreciate your time today and for the opportunity to speak in support of Senate Bill 704, which makes some changes to the administration of Safe at Home from a programmatic perspective, but more importantly, provides Safe at Home participants with stronger, more meaningful protections under the law.

Safe at Home has been available as a safety planning tool for victims of acts or threats of abuse and for those who fear for their physical safety since April of 2017. Enrollment in Safe at Home allows victims to keep their actual home, work, or school address confidential by providing them with a legal substitute address to be used for both public and private purposes. In just over 10 months, we have enrolled 334 participants from 154 households in 40 counties statewide; just over half of participants are children. In our first few months, we have strived to be accessible to those in need of our services by designating victim advocates in all 72 counties to serve as Safe at Home Application Assistants. Those individuals provide personalized safety planning to each Safe at Home participant. With the help of these advocates, Safe at Home has worked with each program participant to navigate the use of the assigned address we provide and to redact their confidential address.

Safe at Home also acts as a mail forwarding service for abuse victims. But as the last 10 months have shown, Safe at Home serves as much more for participants. On a regular, if not daily, basis my staff and I:

- Work with our partners at the DMV to redact all address information from driver records while maintaining information necessary to assess appropriate local taxes;
- Work with local school districts to facilitate the transfer of student records while keeping the new location and address confidential;

designated agent for service of process. This bill would also allow participants, upon their direct consent, to allow Safe at Home to disclose their actual address for the limited purpose of facilitating the sale of a home, thus removing an unintended barrier to leaving an unsafe location while enrolled in the program.

Lastly, this bill gives teeth to the Safe at Home law by providing a criminal penalty for intentional disclosure of a participant's actual address. We ask Safe at Home participants to give up a lot of life's conveniences and to put in the effort to ensure that the protections promised by this program work as intended. To not hold those who intentionally disclose a participant's actual address accountable undermines the intent of the original Safe at Home law. As the director of Safe at Home, I am invested in making sure that participants in this program have meaningful protections and remedies under the law.

For these reasons, I am asking for your support for Senate Bill 704. Thank you again for your time and consideration of my testimony. I am happy to answer any questions you may have.

If you have any questions please contact DOJ's Director of Government Affairs, Lane Ruhland at ruhland@doj.stat.wi.us or (608) 640-7203.

To: Members, Senate Committee on Judiciary & Public Safety

From: Attorney Vicky Selkove, Legislative Director, Legal Action of Wisconsin

Re: Senate Bill 704, Improvements to the Safe at Home Program

Date: February 6, 2018

Legal Action of Wisconsin is a nonprofit law firm which provides free legal advice and representation to low-income residents in Wisconsin's 39 southern counties. Among the services we provide is assistance to survivors of domestic violence, sexual assault, trafficking, and other violence. Our clients need legal representation in order to obtain divorces, establish custody orders, and safely enforce child support.

We appreciate all the work done two years ago to create Wisconsin's Safe at Home program, in particular the leadership of Senator Fitzgerald, Senator Shilling, Representative Kleefisch, Representative Taylor, and the staff at the Department of Justice who moved swiftly to create and implement this program.

Since the program's launch last March, our family law attorneys have reported that numerous clients have been assisted by the program. For example:

- One of our clients used the program during her abuser's criminal case, when we were assisting her with victim advocacy and crime victim compensation. Having the protection provided by the Safe at Home program helped her feel more confident about pursuing her right to crime victim compensation and to feel an additional measure of safety during a period of uncertainty and fear.
- Another recent client, who we are assisting with a divorce from a violent and abusive husband, has also found the Safe at Home program gives her an additional layer of protection. Her husband had taken her phone away, held her at knifepoint for hours, and threatened to kill her and her family. She wanted to disappear, and she has expressed that the Safe at Home program has given her another tool to use in her safety planning and made her feel better about her safety.
- We also recently assisted a low-income client who was applying for a disability related discharge of her student loans. She knew she was eligible for the student loan relief, but also knew that if she filled out the forms, her address would show up on her credit report and her ex-husband had looked at her credit reports in the past to try to find her. She was excited to learn of the Safe at Home program because it would give her a safe way to protect her address and access much-needed economic security.

SB 704 builds on the early successes of the Safe at Home Program and will improve the program's effectiveness for future participants. We particularly believe our clients will benefit from the criminal penalty added to the bill as a deterrent to anyone intentionally disclosing a participant's actual address. Safe at Home is a cost-effective, straightforward, and very necessary way of allowing survivors of domestic violence, stalking, and trafficking to keep their residential addresses confidential. SB 704's improvements to the program will continue to help survivors as they rebuild their lives after escaping abusive situations and relationships, and allow them an additional measure of safety as they reengage with their communities.

Thank you for this opportunity to comment on SB 704. Please do not hesitate to contact me if you have additional questions. I can be reached at (608) 620-2011 or VSS@legalaction.org.