

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2021-2022 Regular Session**

AB 277 (Valladares)  
Version: May 24, 2021  
Hearing Date: June 8, 2021  
Fiscal: Yes  
Urgency: No  
JT

**SUBJECT**

Domestic violence: victims: address confidentiality

**DIGEST**

This bill requires, by January 1, 2023: (1) the Secretary of State (SOS) to provide application forms, notices, and explanatory materials related to the Safe at Home program in at least five languages; and (2) the inclusion of information about the Safe at Home program on Judicial Council forms relating to domestic violence.

**EXECUTIVE SUMMARY**

Safe at Home is a confidential address program administered by the SOS that enables victims of domestic violence, stalking, sexual assault, human trafficking, and elder and dependent adult abuse to obtain a substitute mailing address to receive mail. Government agencies in California must accept this address in lieu of a residential or other address. The program, established in 1999, has protected thousands of victims. However, its materials are only provided in English and Spanish, creating a barrier to safety for speakers of other languages.

This bill seeks to make the program more accessible by requiring certain forms, notices, and information related to the program to be provided in, at least, the five most commonly spoken non-English languages in California. The bill is supported by the California District Attorneys Association, the California Partnership to End Domestic Violence, and the Junior Leagues of California. There is no known opposition.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) States that the Legislature finds that persons attempting to escape from actual or threatened domestic violence, sexual assault, stalking, human trafficking, or elder or

dependent adult abuse frequently establish new names or addresses in order to prevent their assailants or probable assailants from finding them. (Gov. Code § 6205.)<sup>1</sup> States that the purpose of the Safe at Home program is to enable: (1) state and local agencies to respond to requests for public records without disclosing the changed name or location of a victim of the conduct described above; (2) interagency cooperation with the SOS in providing name and address confidentiality for such victims; and (3) state and local agencies to accept a program participant's use of an address designated by the SOS as a substitute mailing address. (*Id.*)

- 2) Authorizes an adult person, or a guardian on behalf of a minor or an incapacitated person, to apply to participate in the Safe at Home program by stating that they are a victim of the conduct described above, designating the SOS as the agent for service of process and receipt of mail, and providing the SOS with any address they wish to be kept confidential. (§6206(a).) Requires the SOS to certify the applicant as a program participant for four years, which may be renewed. (*Id.* at (c).) Provides that a person who falsifies information on an application, as specified, is guilty of a misdemeanor, and requires that a bold-type conspicuous notice of this penalty be printed on the face of the application. (*Id.* at (e).)
- 3) Requires the SOS to provide each program participant a notice in clear and conspicuous font that contains information relating to: (1) using the confidential address in real property deeds and transactions, (2) changing one's name, and (3) entities that provide legal services. (§ 6209.5.)

This bill:

- 1) Requires the Judicial Council, on or before January 1, 2023, to amend an existing form related to domestic violence restraining orders to include a brief description of the Safe at Home program, the benefits of enrollment in the program, and the address of the SOS's web page. The Judicial Council must also make the form available in English and at least the five most commonly spoken languages other than English in California.
- 2) Requires the SOS, on or before January 1, 2023, to make the application for participation in the program, as well as explanatory materials, the notices described above, and a sample application on its website, available in English and at least the five most commonly spoken languages other than English in California. Requires the SOS to maintain on the SOS's website information about the program and contact information for community-based victims' assistance programs, as specified.

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<sup>1</sup> All further section references are to the Government Code unless otherwise indicated.

## COMMENTS

### 1. Author's statement

The author writes:

Due to sheltering in place measures during the pandemic, California experienced an increase in cases of domestic violence, sexual assault, and elder abuse. Though there are several state programs that exist to provide support to victims of these crimes, notices of and application to these programs are not reasonably accessible to individuals who face language barriers. AB 277 would require the application form and related notices for California's Safe at Home program and the Judicial Council's form relating to domestic violence restraining orders to be available in at least five widely spoken languages

### 2. Safe at Home program

In 1998, SB 489 (Alpert, Ch. 1005, Stats. 1998) established the "Address Confidentiality for Victims of Domestic Violence" program, which is now referred to as the "Safe at Home" program. The program is available to victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, and provides these individuals with a substitute mailing address in order to protect the confidentiality of the participant's home, work, or school address. The substitute mailing address is an assigned post office box, and the SOS is designated as the participant's agent for service of process and receipt of mail. Mail is forwarded by the SOS from the post office box to the participant. Thus, the Safe at Home program allows participants to have a publicly available address without disclosing the participant's actual residence or alternate location. Upon successful application, a program participant is certified to remain in the program for four years, subject to early termination or withdrawal. The participant must re-certify pursuant to the SOS's renewal process if they wish to continue in the program beyond the four-year enrollment period. For victims not yet of the age of majority, or for incapacitated persons, a parent or guardian may apply to enroll the victim into the program. In 2020, there were nearly 5,000 active participants.<sup>2</sup>

This bill requires the SOS to make application forms, notices, and explanatory materials related to the Safe at Home program available in at least the five most commonly spoken languages in California. The bill also requires information about the Safe at Home program to be included on Judicial Council forms relating to domestic violence. This is intend to increase access to the program in line with California's diversity. The

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<sup>2</sup> 2020 Annual Legislative Report for the Secretary of State's Safe at Home Program, p. 2, available at <https://admin.cdn.sos.ca.gov/reports/2020/sah-annual-report.pdf> (as of May 16, 2021).

most common languages in California are English (58.8%), Spanish (28.5%), Tagalog (2.2%), Mandarin and Cantonese (2.8%), Vietnamese (1.43%), Korean (1.1%), and Armenian (0.5%).<sup>3</sup> These requirements would become operative January 1, 2023.

Writing in support, the California Partnership to End Domestic Violence notes that the SOS documents are currently provided in only English and Spanish, which “hinders the ability of individuals who do not speak these languages to meaningfully access services and assistance.” Such individuals, they argue, “should not face unnecessary language barriers when attempting to access support.”

### SUPPORT

California District Attorneys Association  
California Partnership to End Domestic Violence  
Junior Leagues of California

### OPPOSITION

None known

### RELATED LEGISLATION

Pending Legislation: AB 611 (Quirk-Silva, 2021) would, upon request of a participant in the Safe at Home program, require the association of a common interest development to accept and use the address designated by the SOS as the Safe at Home participant’s substitute address for association communications and to withhold or redact information that would reveal the name and address of the Safe at Home participant in specified communications of the association. The bill is pending in the Senate Housing Committee; should it pass, it will be heard by this Committee.

#### Prior Legislation:

SB 1320 (Stern, Ch. 517, Stats. 2018) added a victims of elder or dependent adult abuse to those who qualify for the Safe at Home program.

SB 1233 (Oropeza, Ch. 326, Stats. 2010) made the Safe at Home program permanent, removing the sunset provision on the law.

SB 1062 (Bowen, Ch. 639, Stats. 2006) added sexual assault victims to those who qualify for the Safe at Home program.

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<sup>3</sup> *Most Widely Spoken Languages in California*, WorldAtlas, available at <https://www.worldatlas.com/articles/the-most-spoken-languages-in-california.html> (as of May 16, 2021).

AB 1669 (Assembly Committee on Judiciary, Ch. 668, Stats. 2000) exempted domestic violence victims from the publication requirement of the name change procedures of the Code of Civil Procedure for participants in the Safe at Home Program.

SB 1318 (Alpert, Ch. 562, Stats. 2000) added stalking victims to those who qualify for the Safe at Home program.

SB 489 (Alpert, Ch. 1005, Stats. 1998) established the "Address Confidentiality for Victims of Domestic Violence" program, which is now referred to as the Safe at Home program, to provide address confidentiality for victims of domestic violence.

**PRIOR VOTES:**

Assembly Floor (Ayes 77, Noes 0)

Assembly Appropriations Committee (Ayes 16, Noes 0)

Assembly Judiciary Committee (Ayes 11, Noes 0)

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