

Source: Privacy for Cops

Text taken directly from:

<https://www.privacyforcops.org/privacy>

States Protecting Officers:

California

Colorado

Idaho

Texas

California Government Code 6254.21 and 6254.24:

6254.21.

(a) No state or local agency shall post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual.

(b) No person shall knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child on the Internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual. A violation of this subdivision is a misdemeanor. A violation of this subdivision that leads to the bodily injury of the official, or his or her residing spouse or child, is a misdemeanor or a felony.

(c) (1) No person, business, or association shall publicly post or publicly display on the Internet the home address or telephone number of any elected or appointed official if that official has made a written demand of that person, business, or association to not disclose his or her home address or telephone number. A written demand made under this paragraph by a state constitutional officer, a mayor, or a Member of the Legislature, a city council, or a board of supervisors shall include a statement describing a threat or fear for the safety of that official or of any person residing at the official's home address. A written demand made under this paragraph by an elected official shall be effective for four years, regardless of whether or not the official's term has expired prior to the end of the four-year period. For this purpose, "publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public. (2) An official whose home address or telephone number is made public as a result of a violation of paragraph (1) may bring an action seeking injunctive or declarative relief in any court of competent jurisdiction. If a jury or court finds that a violation has occurred, it may grant injunctive or declarative relief and shall award the official court costs and reasonable attorney's fees.

(d) (1) No person, business, or association shall solicit, sell, or trade on the Internet the home address or telephone number of an elected or appointed official with the intent to cause imminent great bodily harm to the official or to any person residing at the official's home address. (2) Notwithstanding any other provision of law, an official whose home address or telephone number is solicited, sold, or traded in violation of paragraph (1) may bring an action in any court of competent jurisdiction. If a jury or court finds that a violation has occurred, it shall award damages to that official in an amount up to a maximum of three times the actual damages but in no case less than four thousand dollars (\$4,000).

(e) An interactive computer service or access software provider, as defined in Section 230(f) of Title 47 of the United States Code, shall not be liable under this section unless the service or provider intends to abet or cause imminent great bodily harm that is likely to occur or threatens to cause imminent great bodily harm to an elected or appointed official.

(f) For purposes of this section, "elected or appointed official" includes, but is not limited to, all of the following: (1) State constitutional officers. (2) Members of the Legislature. (3) Judges and court commissioners. (4) district attorneys. (5) Public defenders. (6) Members of a city council. (7) Members of a board of supervisors. (8) Appointees of the Governor. (9) Appointees of the Legislature. (10) Mayors.

(11) City attorneys. (12) Police chiefs and sheriffs. (13) A public safety official as defined in Section 6254.24. (14) State administrative law judges. (15) Federal judges and federal defenders. (16) Members of the United States Congress and appointees of the President.

(g) Nothing in this section is intended to preclude punishment instead under Sections 69, 76, or 422 of the Penal Code, or any other provision of law.

6254.24.

As used in this chapter, "public safety official" means the following:

- (a) An active or retired peace officer as defined in Sections 830 and 830.1 of the Penal Code.
- (b) An active or retired public officer or other person listed in Sections 1808.2 and 1808.6 of the Vehicle Code.
- (c) An "elected or appointed official" as defined in subdivision (c) of Section 6254.21.
- (d) Attorneys employed by the Department of Justice, the State Public Defender, or a county office of the district attorney or public defender.
- (e) City attorneys and attorneys who represent cities in criminal matters.
- (f) Specified employees of the Department of Corrections, the California Youth Authority, and the Prison Industry Authority who supervise inmates or are required to have a prisoner in their care or custody.
- (g) Non-sworn employees who supervise inmates in a city police department, a county sheriff's office, the Department of the California Highway Patrol, federal, state, and local detention facilities, and local juvenile halls, camps, ranches, and homes.
- (h) Federal prosecutors and criminal investigators and National Park Service Rangers working in California.

Colorado Government Code

Legislature Of The State Of Colorado - HOUSE BILL 09-1316

West's Colorado Revised Statutes Annotated Currentness

Title 18. Criminal Code (Refs & Annos)

Article 9. Offenses Against

Public Peace, Order, and Decency (Refs & Annos)

Part 3. Offenses Involving Communications (Refs & Annos)

p 18-9-313. Personal information on the internet--law enforcement official

(1) As used in this section:

(a) "Immediate family" means a law enforcement official's spouse, child, or parent or any other blood relative who lives in the same residence as the law enforcement official.

(a.5) "Law enforcement official" means a peace officer as described in section 16-2.5-101, C.R.S., a judge as defined by section 18-8-615 (3), or a prosecutor.

(b) "Personal information" means a law enforcement official's home address, home telephone number, personal mobile telephone number, pager number, personal e-mail address, personal photograph, directions to the law enforcement official's home, or photographs of the law enforcement official's or the official's immediate family member's home or vehicle.

(2) It is unlawful for a person to knowingly make available on the internet personal information about a law enforcement official or the official's immediate family member, if the dissemination of the personal information poses an imminent and serious threat to the law enforcement official's safety or the safety of the law enforcement official's immediate family and the person making the information available on the internet knows or reasonably should know of the imminent and serious threat.

(3) A violation of subsection (2) of this section is a class I misdemeanor.

CREDIT(S)

Added by Laws 2002, Ch. 292, 1, eff. July 1, 2002. Amended by Laws 2003, Ch. 242, 14, eff. Aug. 6, 2003; Laws 2009, Ch. 313, 1, eff. May 21, '2009.

HISTORICAL AND STATUTORY NOTES

2004 Main Volume

Section 2 of Laws 2002, Ch. 292 (1 of which added this section) provides:

"Effective date applicability. This act shall take effect July 1, 2002, and shall apply to offenses committed on or after said date."

Laws 2003, Ch. 242, 13 in subsec. (2) substituted "as described in section 16-2.5-101" for "level I, level IA, level II, or level III, as defined in section 18-1-901(3)".

Laws 2009, Ch. 313, I, in par. (1)(a), substituted "law enforcement official's" for "peace officer's", and substituted "law enforcement official" for "peace officer"; added par. (1)(a.5); in par. (1)(b), twice substituted "law enforcement official's" for "peace officer's", inserted "personal mobile telephone number," inserted "personal e-mail address," and substituted "law enforcement official's or the official's immediate family member's" for "peace officer's"; in subsec. (2), substituted "to knowingly" for "knowingly to", substituted "law enforcement official or the official's immediate family member" for "peace officer as described in section 16-2.5-101, CRS .," and twice substituted "law enforcement official's" for "peace officer's".

C. R. S. A. 18-9-313, CO ST 18-9-313

Current through laws effective July 1, 2012, see scope for further details

Idaho Government Code

Legislature Of The State Of Idaho - Senate Bill No. 1378

STATEMENT OF PURPOSE

RS19655

Judges, prosecutors and law enforcement officers and their families often face very real threats of harm or death, both on and off-duty, in the routine order of upholding the laws of the State of Idaho. Keeping their home addresses confidential is a key element of providing safety and peace of mind to these public servants, their spouses and their children.

This Legislation provides residential address and telephone number public record confidentiality for judges, prosecutors, peace officers, federal peace officers, correction officers, probation officers and parole officers living in Idaho, who voluntarily participate in the Address Confidentiality For Law Enforcement Officers Program. Officers would provide a personally coordinated mailing address that would be used for public disclosure if they elect to participate in the program.

Address Confidentiality Program ("ACP")

[Download the ACP Checklist Now](#)

SENATE BILL NO. 1378, As Amended

BY STATE AFFAIRS COMMITTEE

AN ACT

LEGISLATURE OF THE STATE OF IDAHO

RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9340C, IDAHO CODE, TO REVISE A PUBLIC RECORDS EXEMPTION, TO PROVIDE A PUBLIC RECORDS EXEMPTION AND TO PROVIDE EXCEPTIONS; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 58, TITLE 19, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE THAT THE DISCLOSURE OF THE RESIDENTIAL STREET AND TELEPHONE NUMBER OF CERTAIN PERSONS IS PROHIBITED, TO PROVIDE EXCEPTIONS, TO PROVIDE A PROCESS FOR REQUESTING ADDRESS CONFIDENTIALITY AND ELIGIBILITY AND TO PROVIDE IMMUNITY FROM LIABILITY; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENTS OF A CERTAIN APPLICATION; AMENDING SECTION 49-315, IDAHO CODE, TO REVISE REQUIREMENTS

RELATING TO THE CONTENT OF A DRIVER'S LICENSE; AMENDING SECTION 49-401B, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF A CERTAIN APPLICATION; AMENDING SECTION 49-504, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF A CERTAIN APPLICATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 492444, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF AN IDENTIFICATION CARD; AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 9340C, Idaho Code, be, and the same is hereby 21 amended to read as follows:

9340C. RECORDS EXEMPT FROM DISCLOSURE - PERSONNEL RECORDS, PERSONAL INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following records are exempt from disclosure:

(1) Except as provided in this subsection, all personnel records of a current or former public official other than the public official's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace and employing agency. All other personnel information relating to a public employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, correspondence and performance evaluations, shall not be disclosed to the public without the employee's or applicant's written consent. Names of applicants to classified or merit system positions shall not be disclosed to the public without the applicant's written consent. Disclosure of names as part of a background check is permitted. Names of the five (5) final applicants to all other positions shall be available to the public. If such group is less than five (5) finalists, then the entire list of applicants shall be available to the public. A public official or authorized representative may inspect and copy his personnel records, except for material used to screen and test for employment.

(2) Retired employees' and retired public officials' home addresses, home telephone numbers and other financial and nonfinancial membership records; active and inactive member financial and membership records and mortgage portfolio loan documents maintained by the public employee retirement system. Financial statements prepared by retirement system staff, funding agents and custodians concerning the investment of assets of the public employee retirement system of Idaho are not considered confidential under this chapter.

(3) Information and records submitted to the Idaho state lottery for the performance of background investigations of employees, lottery retailers and major procurement contractors; audit records of lottery retailers, vendors and major procurement contractors submitted to or performed by the Idaho state lottery; validation and security tests of the state lottery for lottery games; business records and information submitted pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code, and such documents and information obtained and held for the purposes of lottery security and

investigative action as determined by lottery rules unless the public interest in disclosure substantially outweighs the private need for protection from public disclosure.

(4) Records of a personal nature as follows:

(a) Records of personal debt filed with a public agency or independent public body corporate and politic pursuant to law;

(b) Personal bank records compiled by a public depositor for the purpose of public funds transactions conducted pursuant to law;

(c) Records of ownership of financial obligations and instruments of a public agency or independent public body corporate and politic, such as bonds, compiled by the public agency or independent public body corporate and politic pursuant to law;

(d) Records, with regard to the ownership of, or security interests in, registered public obligations;

(e) Vital statistics records; and

(f) Military records as described in and pursuant to section 65-301, Idaho Code.

Texas Government Code

Sec. 552.117. EXCEPTION: CONFIDENTIALITY OF CERTAIN ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION. (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

- (1) a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;
- (2) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;
- (3) a current or former employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.1175;
- (4) a peace officer as defined by Article 2.12, Code of Criminal Procedure, or other law, a reserve law enforcement officer, a commissioned deputy game warden, or a corrections officer in a municipal, county, or state penal institution in this state who was killed in the line of duty, regardless of whether the deceased complied with Section 552.024 or 552.1175;
- (5) a commissioned security officer as defined by Section 1702.002, Occupations Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;
- (6) an officer or employee of a community supervision and corrections department established under Chapter 76 who performs a duty described by Section 76.004(b), regardless of whether the officer or employee complies with Section 552.024 or 552.1175;
- (7) a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;
- (8) a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department, regardless of whether the current or former employee complies with Section 552.1175;
- (9) a juvenile probation or supervision officer certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code; or
- (10) employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code.

(b) All documents filed with a county clerk and all documents filed with a district clerk are exempt from this section. Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993. Amended by Acts 1995, 74th Leg., ch. 1035, Sec. 9, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 512, Sec. 1, eff. May 31, 1997;

Acts 1999, 76th Leg., ch. 1318, Sec. 1, eff. June 18, 1999; Acts 2001, 77th Leg., ch. 119, Sec. 2, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 947, Sec. 1, eff. June 20, 2003.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 621 (H.B. 455), Sec. 1, eff. September 1, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 927 (S.B. 1638), Sec. 2, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 953 (H.B. 1046), Sec. 1, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1229 (S.B. 602), Sec. 9, eff. September 1, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 1033 (H.B. 2733), Sec. 2, eff. September 1, 2013.

This section was amended by the 84th Legislature. Pending publication of the current statutes, see H.B. 1311 and S.B. 1296, 84th Legislature, Regular Session, for amendments affecting this section.

Sec. 552.1175. CONFIDENTIALITY OF CERTAIN PERSONAL IDENTIFYING INFORMATION OF PEACE OFFICERS, COUNTY JAILERS, SECURITY OFFICERS, EMPLOYEES OF CERTAIN CRIMINAL OR JUVENILE JUSTICE AGENCIES OR OFFICES, AND FEDERAL AND STATE JUDGES.

(a) This section applies only to:

- (1) peace officers as defined by Article 2.12, Code of Criminal Procedure;
- (2) county jailers as defined by Section 1701.001, Occupations Code;
- (3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department;
- (4) commissioned security officers as defined by Section 1702.002, Occupations Code;
- (5) employees of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;
- (6) officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);
- (7) criminal investigators of the United States as described by Article 2.122(a), Code of Criminal Procedure;
- (8) police officers and inspectors of the United States Federal Protective Service;
- (9) current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement;

Text of subdivision as added by Acts 2013, 83rd Leg., R.S., Ch. 937, Sec. 3

- (10) federal judges and state judges as defined by Section 13.0021, Election Code

Text of subdivision as added by Acts 2013, 83rd Leg., R.S., Ch. 1033, Sec. 4

(10) juvenile probation and detention officers certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code;

(11) employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code; and

(12) current or former employees of the Texas Juvenile Justice Department or the predecessors in function of the department.

(b) Information that relates to the home address, home telephone number, emergency contact information, date of birth, or social security number of an individual to whom this section applies, or that reveals whether the individual has family members is confidential and may not be disclosed to the public under this chapter if the individual to whom the information relates:

(1) chooses to restrict public access to the information; and

(2) notifies the governmental body of the individual's choice on a form provided by the governmental body, accompanied by evidence of the individual's status.

(c) A choice made under Subsection (b) remains valid until rescinded in writing by the individual.

(d) This section does not apply to information in the tax appraisal records of an appraisal district to which Section 25.025, Tax Code, applies.

(e) All documents filed with a county clerk and all documents filed with a district clerk are exempt from this section.

(f) A governmental body may redact information that must be withheld under Subsection (b) from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G.

(g) If, under Subsection (f), a governmental body redacts or withholds information without requesting a decision from the attorney general about whether the information may be redacted or withheld, the requestor is entitled to seek a decision from the attorney general about the matter. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to decide the matter and briefs from the requestor, the governmental body, and any other interested person. The attorney general shall promptly render a decision requested under this subsection, determining whether the redacted or withheld information was excepted from required disclosure to the requestor, not later than the 45th business day after the date the attorney general received the request for a decision under this subsection. The attorney general shall issue a written decision on the matter and provide a copy of the decision to the requestor, the governmental body, and any interested person who submitted necessary information or a brief to the attorney general about the matter. The requestor or the governmental body may appeal a decision of the attorney general under this subsection to a Travis County district court.

(h) A governmental body that redacts or withholds information under Subsection (f) shall provide the following information to the requestor on a form prescribed by the attorney general:

(1) a description of the redacted or withheld information;

(2) a citation to this section; and

(3) instructions regarding how the requestor may seek a decision from the attorney general regarding whether the redacted or withheld information is excepted from required disclosure.

Added by Acts 2001, 77th Leg., ch. 119, Sec. 3, eff. Sept. 1, 2001. Amended by Acts 2003, 78th Leg., ch. 947, Sec. 2, eff. June 20, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 715 (S.B. 450), Sec. 1, eff. June 17, 2005.

Acts 2005, 79th Leg., Ch. 715 (S.B. 450), Sec. 2, eff. June 17, 2005.

Acts 2007, 80th Leg., R.S., Ch. 621 (H.B. 455), Sec. 2, eff. September 1, 2007.

Acts 2009, 81st Leg., R.S., Ch. 283 (S.B. 1068), Sec. 2, eff. June 4, 2009.

Acts 2009, 81st Leg., R.S., Ch. 732 (S.B. 390), Sec. 2, eff. September 1, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 927 (S.B. 1638), Sec. 3, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 953 (H.B. 1046), Sec. 2, eff. June 17, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 937 (H.B. 1632), Sec. 2, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 937 (H.B. 1632), Sec. 3, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1033 (H.B. 2733), Sec. 3, eff. September 1, 2013.