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| TITLE | POLICY NUMBER | |
| Personal Information Redaction | DCS 04-42 | |
| RESPONSIBLE AREA | EFFECTIVE DATE | REVISION |
| Human Resources | 11/09/2017 | 2 |

I. POLICY STATEMENT

The Department of Child Safety (DCS) is committed to providing a safe environment for all employees as well as their immediate families and household members. DCS employees who have direct contact with client families in the course of their employment, and who fear for their safety or that of a household member, may request that the general public be prohibited from accessing their identifying information, including voter registration records, county recorder, assessor and treasurer records, and motor vehicle division records.

In order to assist employees in restricting access to this personal information, an Agency Designee will compile affidavits and other documentation for submission to the presiding judge of the county in which the employee resides. The Agency Designee will be located within DCS Human Resources.

Additionally, criminal penalties now exist if a person knowingly places the personal information of DCS employees with direct contact with client families on the internet if such dissemination poses an imminent and serious threat to the safety of DCS employees, their immediate family, or household members.

II. APPLICABILITY

This policy applies to DCS employees who have direct contact with client families and who believe that they, their immediate family, or household members may be in danger of physical harm and who believe that restricting access to their personal information will reduce this danger.

This process is designed to protect identifying information in a limited class of public records ONLY. Even if an application is granted, a DCS employee's home address and phone number may still be publicly-accessible in other public records and commercially-available databases.

III. AUTHORITY

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| <u>A.R.S. § 8-807</u> | DCS information; public record; use; confidentiality; violation; classification; definitions |
| <u>A.R.S. § 11-483</u> | Records maintained by county recorder; confidentiality; definitions |
| <u>A.R.S. § 11-484</u> | Records maintained by county assessor and county treasurer; redaction; definitions |
| <u>A.R.S. § 13-2401</u> | Personal information on the world wide web; exception; classification; definitions |
| <u>A.R.S. § 16-153</u> | Voter registration; confidentiality; definitions |
| <u>A.R.S. § 28-454</u> | Records maintained by department of transportation; redaction; definitions |
| <u>A.R.S. § 39-123</u> | Information identifying eligible persons; confidentiality; definitions |
| <u>A.R.S. § 39-124</u> | Releasing information identifying an eligible person; violations; classification; definitions |

IV. DEFINITIONS

Agency Designee: A DCS Human Resources employee who will serve as a conduit between the employee requesting personal information redaction and the superior court in that employee's county of residence.

Department or DCS: The Department of Child Safety.

Employee: An employee of the Department of Child Safety who has direct contact with client families in the course of employment.

Household Member: Any other adult who lives in the same residence as the employee.

Identifying Information: Any documents recorded by a county recorder, maintained by a county assessor or county treasurer, kept by the Arizona Department of Transportation, and/or relating to the eligible person's voter registration record.

Immediate Family: An employee's spouse, child, or parent.

Personal Information: The employee's residential address, telephone number, the unique identifier and date of recordation in recorder indices and documents, and the voting precinct number.

Personal Information on the world wide web: The employee's home address, home telephone number, cell number, pager number, personal photograph, directions to the person's home or photographs of the person's home or vehicle.

Redaction: The process of concealing sensitive information in a paper or electronic document before being released to someone not authorized to see that information. Redaction is used to comply with legal requirements, protect an individual's privacy or to ensure personal information is not compromised. For the purposes of this policy, redaction refers to the process of protecting the personal information of certain DCS employees so that it is not accessible as part of information released in a public record.

V. POLICY

DCS employees who have direct contact with client families may request in an affidavit that their personal information be redacted from some or all of the following public records:

- County Recorder records;
- County Assessor records;
- County Treasurer records;

- Voter Registration records; and
- Motor Vehicle Division records.

VI. PROCEDURES

An application to the superior court in the employee's home county must be filed to initiate personal information redaction. The application must be submitted to the Agency Designee within DCS Human Resources for routing to the appropriate superior court. Employees complete an affidavit for the court explaining why they believe a danger exists and how restricting access to their personal records will mitigate this danger. Employees will be asked to explain why they believe their life or safety, or that of someone who resides with them, is in danger of physical harm; confidential DCS information, including personally identifying information of DCS clients, shall not be included in this explanation.

The affidavit and instructions may be found on the Arizona Supreme Court website:

Affidavit: <https://www.azcourts.gov/Portals/34/Forms/AOCCRDPE1F.pdf>

Instructions: <https://www.azcourts.gov/Portals/34/Forms/AOCCRDPE1I.pdf>

After completing the affidavit, it must be signed and dated in the presence of a notary public.

- A. Employees who request to have their personal information redacted from public records submit the notarized affidavit to the Agency Designee within DCS Human Resources. To restrict public access to an employee's identifying information, the information below is required by the following entities:
 1. County Recorder, Assessor, or Treasurer
 - a. The full legal description and book, map, and parcel number of the employee's home;
 - b. The document locator number and recording date of each document on file with these agencies that needs to be protected (the document locator number is also known as the recording number), and;

- c. A copy of the pages from each document that show the document locator number and the DCS employee's full name and address and telephone number.

DCS employees should hand-write the document locator number on each of these copies. DCS employees are responsible for ensuring that all of their records are listed and attached; county departments cannot redact any documents that have not been identified in the affidavit.

2. Voter Registration Records

- a. The DCS employee's full legal name and date of birth;
- b. The full legal names and dates of birth of everyone with whom the DCS employee resides whose voting records need to be protected. New voter registration forms may need to be submitted if:
 - i. addresses are changing from what is currently on the voter registration form, and;
 - ii. the DCS employee wishes to add him/herself or household members to the Early Permanent Voter List.

3. Motor Vehicle Division Records

- a. The DCS employee's full legal name, date of birth, driver's license number or state identification number;
- b. The names of individuals and/or entities that have MVD records that display a primary residential address and/or telephone number of the DCS employee.

- B. The Agency Designee will review the affidavit for completeness and bring any deficient areas to the affiant's attention. The Agency Designee collects and submits affidavits quarterly to the appropriate superior court according to the following schedule:

- 1. January 1 – March 31; to be processed by the court by April 15

2. April 1 – June 30; to be processed by the court by July 15
 3. July 1 – September 30; to be processed by the court by October 15
 4. October 1 – December 31; to be processed by the court by January 15
- C. Any affidavits returned by the court for further information or correction are resubmitted by the end of the quarter or within ten (10) calendar days from when it was returned, whichever is later.
- D. Affidavits that request immediate action must contain facts explaining why immediate protection is needed in order to circumvent the quarterly submission dates outlined above. The Agency Designee may consult legal counsel and/or DCS management prior to determining if immediate action is necessary. If so, the affidavit will be submitted to the appropriate superior court as quickly as possible. If not, the affidavit will be submitted according to the quarterly submission dates outlined above.
- E. The presiding judge of the superior court shall review the petition and each attached affidavit to determine whether the action requested by each affiant should be granted. If the petition is granted, a minute entry will be sent to the appropriate county departments ordering them to redact the employee's identifying information from public records. County Assessor, County Recorder, and Voter Registration redactions remain in effect for five years. A copy of the minute entry will be sent to the Agency Designee, who will forward a copy of the minute entry to the employee.
- F. Redactions of personal information remain in effect when employees leave DCS. Former employees are urged to read all applicable statutes and contact each of the participating agencies directly to determine the consequences and on-going responsibilities associated with restricting public access to personal information.