

RESTRICTED ADDRESSES POLICY

I. Purpose

To establish a policy for Adams County departments containing a process to comply with new requirements of IC 36-1-8.5, specifically related to "Covered Persons" and publically accessible property websites.

Scope

This policy applies to all county-provided public property websites.

Indiana Code 36-1-8.5 defines a covered person as:

- (1) a judge;
- (2) a law enforcement officer;
- (3) a victim of domestic violence; or who submits a written request to have the person's home address restricted from disclosure under this chapter.
- (4) a public official

II. Definitions

A. Judge:

- (1) a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, federal court, or small claims court; or
- (2) a magistrate, commissioner, or juvenile referee of a court.

B. Law Enforcement Officer

- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
- (2) a deputy of any of the persons specified in subdivision (1);
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer;
- (5) an enforcement officer of the alcohol and tobacco commission; or
- (6) an enforcement officer of the securities division of the office of the secretary of state.

C. Victim of Domestic Violence

- (1) a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.

D. Public Official:

- (1) an individual who holds or formerly held office at any time during the preceding four (4) years in the executive or legislative branch of the state or federal government or a political subdivision of the state or federal government. The actual criteria are as follows:
 - a. a position for which the duties include performance of some sovereign power for the public's benefit;
 - b. are continuing;
 - c. are created by law instead of by contract.

E. Public Property Database Web site: an Internet web site that:

- (1) is available to the general public over the Internet;
- (2) does not require registration, subscription, or the creation of a user name and password to search the web site; and
- (3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.

F. Cooperative Agency

- (1) Refers to an agency such as a police department, Prosecutor's office, etc that will agree to compile and keep lists of covered individuals up to date and accurate.

Additional definitions and clarification can be found by visiting the website for the Indiana General Assembly and searching for section 36-1-8.5.

III. Duty to Comply

The duty to prevent disclosure of an address as it falls under 36-1-8.5 rests upon the Adams County Auditor's Office. The process to comply with the code is outlined below.

A. Bulk Requests from Cooperative Agency (See sec. II.F above):

1. An annual request summary shall be sent by the agency designated administrator via the Adams County provided electronic form. This list shall include all current covered persons.
2. The list shall also include those individuals that have moved from their primary residence and are therefore no longer covered by statute.

3. Individuals that have moved and are still covered according to statute must submit a new request and fee.

B. Requests from individuals for redaction of information:

1. The process to verify validity of request is completed.

- a. Auditor's office will verify that submission is valid and requestor is covered according to 36-1-8.5. Necessary agency is contacted to verify applicability of request. Victims of domestic violence must submit proof of program participation of Attorney General address confidentiality program.

2. Process of appeal.

- a. If an application for redaction is denied by the Auditor's office, the applicant may appeal to the Board of Commissioners.

IV. RESULT OF CHANGES TO APPLICATIONS AND DATABASES

As a result of the requests, the following changes will be made to the appropriate Adams County Information Systems or Third-Party Systems managed by Adams County:

- A. GIS:** The search results for GIS will reflect the changes made to the Tax Database for those records marked as 'Confidential'. These records will display "Information withheld in accordance with IC 36-1-8.5-4" in place of the name information. It is the intention of Adams County to comply with the intent of the code to not make the property accessible by means of removing the link between name and parcel information.

V. Fee Structure

- A. Exclusion:** Victims of domestic violence per section II.C will be excluded from fees.
- B. Initial Request:** A fee of \$25 per parcel will be assessed for both bulk and individual requests.
- C. Additional Requests:** A \$25 per parcel fee will be assessed for any changes to the title of the parcel or relocation of the covered person
- D. Deposits:** All fees collected will be deposited to the County general fund.

VI. Immunity and Litigation Proceedings (IC 36-1-8.5-12)

A unit may not be held liable for failure to timely restrict disclosure of an address under this chapter unless the unit's act or omission constitutes gross negligence or willful or wanton misconduct.

VII. Reversal of Privacy Settings (IC 36-1-8.5-9)

The public access of removed information can only be done at the request of the original covered person. Per the code, an individual may request reinstatement of their excluded information.

Should any changes to the title of a covered parcel be made, the existing residence will be removed from the list of confidential properties. A new request will need to be made in order to have the parcel covered again.

VIII. Confidentiality (IC 36-1-8.5-11)

All requests made to the unit by a covered person are confidential.

IX. Excluded Properties

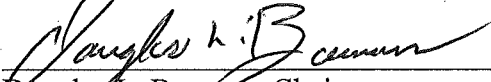
This policy is in effect for requestor's primary residence only per IC 36-1-8.5-7. If the requestor owns or is involved in additional properties that utilize the primary home address as the mailing address, they will be displayed. If the requestor wishes to have those addresses removed as well, the \$25 fee will apply to each submission.

X. Amendments

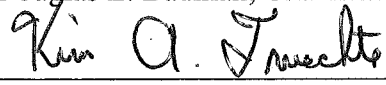
Adams County reserves the right to amend or revise the contents of this policy as deemed suitable. The revised policy will be available on the County website.

Passed and adopted this _____ day of _____, 2015 by the Adams County Board of Commissioners.

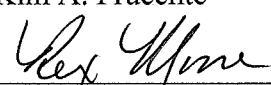
BOARD OF COMMISSIONERS OF
ADAMS COUNTY



Douglas L. Bauman, Chairman

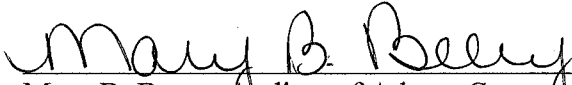


Kim A. Fruechte



Rex Moore

ATTEST:



Mary B. Beery, Auditor of Adams County

RESTRICTED ADDRESSES POLICY

I, _____, fitting the definition of a 'Covered Person' based on _____, am hereby requesting that my name be removed from any public property database website currently being provided by Adams County. I have read, understand and agree with the overall policy.

Signed: _____ Date: _____

Parcel #: _____

IMPORTANT: Changes in policy may be periodically made without official notice to existing covered persons. Please review the county website periodically for potential changes.

Any changes in title for the covered parcel will result in the confidentiality being removed. A new request and fee must be submitted to have the confidentiality re-instated.

----- OFFICE USE ONLY BELOW THIS LINE -----

Received by: _____ Date: _____

Payment Received: ___ Cash ___ Check _____ Check Number

Change made to: ___ MVP ___ Beacon

By: _____ Date: _____