

PRIVACY RIGHTS OF VICTIMS OF VIOLENCE AGAINST WOMEN

States	Motion by Prosecutor Necessary?	Victims Covered	Exception	Information Covered					Information Prohibited From Appearing on These Items:		
				Name	Phone #	Address	Place of Employment	Other	Testimony	Records	Other
Alabama § 15-23-69	Yes	All who reasonably fear that the defendant will harm victim or victim's family	If necessary to the prosecution of the case	X		X	X	Related information	X	Public	
Alaska § 12.61.140	No	Applies to victims of kidnapping with intent to physically injure or sexually assault; sexual assault in the 1 st and 2 nd degrees, sexual abuse of a minor in the 4 th degree, incest, and indecent exposure in the 2 nd degree	The victim's name shall be kept in a sealed record to prevent double jeopardy	X						Must use victim's initials on court records ¹	Law enforcement agency (public cannot view them but the name may appear)
Arizona § 13-4434	No	Any	Court can order disclosure if it finds that there is a compelling need for the information		X	X	X	Any locating information	X		
Arkansas	n/a										
California	n/a										
Colorado 18-3-407	Yes or by motion of the court ²	Any									

¹ Neither this nor law enforcement agency records are considered public documents. 12.61.140(b).

² The motion is for a protective order pursuant to Colo. Crim. P. 16, which allows the court to restrict disclosure of certain information.

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Connecticut § 54-86e	No	Sexual assault or "risk of impairing morals"	Upon order of the Superior Court and it must be available to the accused	X		X			Identifying information			Statute says that it "shall be kept confidential"
Delaware § 9403	No	Any	If it is of the site of the crime, is required by law or the Rules of Criminal Procedure, is necessary for law-enforcement purposes, or is permitted by the court for good cause.		X	X	X		Victim's family's phone number, address, or place of employment	X		Statute says that it shall not be revealed and is not subject to Freedom of Information Act
DC	n/a											

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Florida § 92.56	No	Sexual Battery, Lewdness; Indecent Exposure, child abuse, aggravated child abuse, or sexual performance by a child <i>if</i> prosecutor or victim demonstrates that victim's identity isn't already known in the community, victim has not voluntarily called public attention to the offense, identity of victim has not already become a matter of public concern, disclosure of identity would be offensive to a reasonable person, and would cause one of the following: (1) danger to the victim because assailant has not been caught and his/her identity is not known to the victim; endanger the victim because of likelihood of retaliation; cause severe emotional or mental harm to the victim; make the victim unwilling to testify; or be inappropriate for other good cause shown.	Defendant may apply for an order disclosing victim's information in order to prepare a defense	X		X		photograph	X	Court	Statute says that the information is confidential and cannot be made public. The court may designate a pseudonym for the victim to be used on court documents. Records under this section are not subject to s. 24(a), Art. I of the State Constitution which allows public perusal of court records. According to 794.024 a public employee or officer cannot reveal a victim's information to anyone not assisting in the investigation or prosecution of the case.

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Georgia	n/a ³											
Hawaii	n/a											
Idaho	n/a											
Illinois	n/a											
Indiana	n/a											
Iowa	n/a											
Kansas	n/a											
Kentucky	n/a											
Louisiana <i>46:1844</i>	No	Under 18 and sexual assault victims	No	X		X		Identity		public		Public officials, officers, and agencies may utilize initials, abbreviations, or other indefinite descriptions on public documents
Maine <i>17-A M.R.S. 1176</i>	No	Any	Can be disclosed to a state agency if necessary to perform its function			X		Information from which victim's current location could be determined		X		
Maryland	n/a											
Massachusetts <i>ALM GL ch. 265, § 24C</i>	No	Rape or assault with intent to rape	Justice of the court where the case is or would be prosecuted may consent to allow the name to be publicly disclosed	X						Court or police dpt. or its political subdivisions		Name cannot be disseminated publicly. Records containing the name are not deemed to be public records.
Michigan	n/a											

³ Although a defense attorney can request information about the victim, the court can order him/her not to share it with the defendant. 17-17-10.

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Minnesota <i>611A.035</i>	Yes	Crime victim who fears for his/her safety and when the information is not relevant to the prosecution's case.			X	X	X	Date of birth	X		The prosecutor need not disclose the information if the court approves its motion, except to the defendant's attorney.
	<i>609.3471</i>	No	A minor victim of criminal sexual conduct in the 1 st – 4 th degrees or of criminal sexual predatory conduct.	The court may order them accessible by the public	X				Anything that identifies the victim		X (relating to petitions, complaints, or indictments)
Mississippi <i>§ 99-43-25</i>	Yes	Crime victim in fear of safety for him/herself or immediate family	If necessary to prosecution	X	X	X	X	Related information	X		Information identifying victim contained in prosecuting attorney's file is not public record
Missouri	n/a										
Montana	n/a										
Nebraska	n/a										
New Hampshire <i>21-M:8-k</i>	No	Crime victim				X	X	Other personal information			Victims have a right of confidentiality

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New Jersey § 2A:82-46		Minor victim of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact	Yes if the court determines that there is good cause. Victim or guardian and defendant and guardian must have notice.	X ⁴		X			Identity		Public	Indictment or complaint. The court may impose further restrictions on disclosure of identifying information if necessary to prevent trauma or stigma to victim.
New Mexico	n/a											
New York	n/a											
North Carolina	n/a											
North Dakota	n/a											
Ohio § 2930.07	Yes	Crime victim who fears for his/her safety or safety of family or representative	If used to identify location of crime		X	X	X		Similar identifying fact	X	Court records	Court shall order the transcript sealed
Oklahoma	n/a											
Oregon	n/a											
Pennsylvania	n/a											
Rhode Island	n/a											
South Carolina	n/a											
South Dakota	n/a ⁵											
Tennessee	n/a											
Texas												
Utah § 2930.07	No	Crime victim	Compelling need		X	X	X		Other locating information	X		

⁴ Initials or fictitious name must be used.

⁵ Victim identifying information cannot be included on sex offender registries.

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Vermont <i>13 V.S.A. § 5310</i>	No	Crime victim	If the court finds by a preponderance of the evidence that non-disclosure of the information would prejudice the defendant			X	X			X		
Virginia <i>19.2-11.2</i>	No	Crime victim ⁶	If the information is about the site of the crime, is required by law or Rules of the Supreme Court, is necessary for law-enforcement purposes or preparation for court proceedings, or is permitted by the court for good cause		X	X	X					neither a law-enforcement agency, the attorney for the Commonwealth, the counsel for a defendant, a court nor the Department of Corrections, nor any employee of any of them, may disclose the victim's information, except among themselves
Washington <i>§ 10.97.130</i>	No	Minor sexual assault victims		X		X		Location, photograph				The information is confidential
West Virginia	n/a											

⁶ Law enforcement agencies may not disclose to the public any information that directly or indirectly reveals the identity of a sexual assault victim.

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Wisconsin <i>§ 904.13</i>	Yes – prosecutor must object if s/he believes information is being elicited that is not relevant	Crime victim	If it is relevant pursuant to <i>s. 904.01</i>			X	X				Evidence in any action or proceeding
Wyoming <i>§ 6-2-310</i>	No	Minor sexual assault victim						Identifying information			No disclosure or publication of information
Federal	n/a										
Military	n/a										

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