

PRIVACY RIGHTS OF VICTIMS OF VIOLENCE AGAINST WOMEN

Alabama

Code of Ala. § 15-23-69 (2005)

§ 15-23-69. Evidence or information relating to victim

(a) Based upon the reasonable apprehension of the victim of acts or threats of physical violence or intimidation by the defendant, the family of the defendant, or by anyone at the direction of the defendant, against the victim or the immediate family of the victim, the prosecutor may petition the court to direct that the victim or any other witness not be compelled to testify during pre-trial proceedings or to any trial, facts that could divulge the identity, residence, or place of employment of the victim, or other related information without consent of the victim unless necessary to the prosecution of the criminal proceeding. If the court schedules a hearing on the merits of the petition, it shall be held in camera.

(b) The address, phone number, place of employment, and other related information about the victim contained in the court file shall not be public record.

Alaska

Alaska Stat. § 12.61.140 (2006)

Sec. 12.61.140. Disclosure of victim's name

(a) The portion of the records of a court or law enforcement agency that contains the name of the victim of an offense under [AS 11.41.300\(a\)\(1\)\(C\)](#) or [11.41.410](#) -- [11.41.460](#)

(1) shall be withheld from public inspection, except with the consent of the court in which the case is or would be prosecuted; and

(2) is not a public record under [AS 40.25.110](#) -- [40.25.125](#).

(b) In all written court records open to public inspection, the name of the victim of an offense under [AS 11.41.300\(a\)\(1\)\(C\)](#) ["A person commits the crime of kidnapping if the person restrains another with intent to inflict physical injury upon or sexually assault the restrained person or place the restrained person or a third person in apprehension that any person will be subjected to serious physical injury or sexual assault."] or [11.41.410](#) -- [11.41.460](#) [sexual assault in the first degree (11.41.410); sexual assault in the second degree (11.41.420); (11.41.430 repealed); sexual abuse of a minor in the fourth degree (11.41.440); incest (11.41.450); indecent exposure in the second degree (11.41.460)] may not appear. Instead, the victim's initials shall be used. However, a sealed record containing the victim's name shall be kept by the court in order to ensure that a defendant is not charged twice for the same offense.

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Arizona

§ 13-4434. Victim's right to privacy

Beginning January 1, 1992 the victim has the right at any court proceeding not to testify regarding the victim's addresses, telephone numbers, place of employment or other locating information unless the victim consents or the court orders disclosure on finding that a compelling need for the information exists. A court proceeding on the motion shall be in camera.

Arkansas

Does not appear to have a statute on the subject.

California

Does not appear to have a statute on the subject.

Colorado

C.R.S. 18-3-407 (2005)

18-3-407. Victim's and witness's prior history - evidentiary hearing - victim's identity - protective order

(3) (a) In a criminal prosecution including an offense described in subsection (2) of this section, the court may, at any time upon motion of the prosecution or on the court's own motion, issue a protective order pursuant to the Colorado rules of criminal procedure concerning disclosure of information relating to the victim or a witness. The court may punish a violation of a protective order by contempt of court.

(b) The victim who would be the subject of the protective order may object to the motion for a protective order.

COLORADO RULES OF CRIMINAL PROCEDURE

CHAPTER 29 The Colorado Rules of Criminal Procedure For All Courts of Record In Colorado

IV. ARRAIGNMENT AND PREPARATION FOR TRIAL

Colo. Crim. P. 16 (2006)

Rule 16. Discovery and Procedure Before Trial.

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Part III. Regulation of Discovery

(d) Protective Orders.

With regard to all matters of discovery under this rule, upon a showing of cause, the court may at any time order that specified disclosures be restricted or deferred, or make such other order as is appropriate, provided that all material and information to which a party is entitled must be disclosed in time to permit his counsel to make beneficial use thereof.

Connecticut

Conn. Gen. Stat. § 54-86e

TITLE 54 CRIMINAL PROCEDURE
CHAPTER 961 TRIAL AND PROCEEDINGS AFTER CONVICTION
PART I DISCOVERY, TRIAL AND WITNESSES

Conn. Gen. Stat. § 54-86e (2006)

§ 54-86e. Confidentiality of identifying information pertaining to victim of sexual assault. Availability of information to accused. Protective order information to be entered in registry.

The name and address of the victim of a sexual assault under [section 53a-70](#), [53a-70a](#), [53a-71](#), [53a-72a](#), [53a-72b](#) or [53a-73a](#), or injury or risk of injury, or impairing of morals under [section 53-21](#), or of an attempt thereof, and such other identifying information pertaining to such victim as determined by the court, shall be confidential and shall be disclosed only upon order of the Superior Court, except that (1) such information shall be available to the accused in the same manner and time as such information is available to persons accused of other criminal offenses, and (2) if a protective order is issued in a prosecution under any of said sections, the name and address of the victim, in addition to the information contained in and concerning the issuance of such order, shall be entered in the registry of protective orders pursuant to [section 51-5c](#).

Delaware

§ 9403. Nondisclosure of information about victim

(a) Unless a victim or witness waives confidentiality in writing, neither a law-enforcement agency, the prosecutor, nor the corrections department may disclose, except among themselves or as authorized by law, the residential address, telephone number or place of employment of the victim or a member of the victim's family, or the identity, residential address, telephone number or place of employment of a witness or a member of the witness's family, except to the extent that disclosure is of the site of the crime, is required by law or the Rules of Criminal Procedure, is

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necessary for law-enforcement purposes, or is permitted by the court for good cause.

(b) A court may not compel a victim or witness or a member of the victim's or witness's family testifying in a criminal justice proceeding to disclose a residential address or place of employment on the record unless the court finds that disclosure of the information is necessary.

(c) The victim's address, place of employment and telephone number and any witness's identity, address, place of employment and telephone number, maintained by a court, prosecutor or law-enforcement agency pursuant to this chapter is exempt from disclosure under the Freedom of Information Act.

District of Columbia

Does not appear to have a statute on the subject.

Florida

Fla. Stat. § 92.56 (2005)

§ 92.56. Judicial proceedings and court records involving sexual offenses

(1) All court records, including testimony from witnesses, that reveal the photograph, name, or address of the victim of an alleged offense described in chapter 794 or chapter 800, or act of child abuse, aggravated child abuse, or sexual performance by a child as described in chapter 827, are confidential and exempt from the provisions of [s. 24\(a\), Art. I of the State Constitution](#) and may not be made public if, upon a showing to the trial court with jurisdiction over the alleged offense, the state or the victim demonstrates that:

(a) The identity of the victim is not already known in the community;

(b) The victim has not voluntarily called public attention to the offense;

(c) The identity of the victim has not otherwise become a reasonable subject of public concern;

(d) The disclosure of the victim's identity would be offensive to a reasonable person; and

(e) The disclosure of the victim's identity would:

1. Endanger the victim because the assailant has not been apprehended and is not otherwise known to the victim;

2. Endanger the victim because of the likelihood of retaliation, harassment, or intimidation;

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3. Cause severe emotional or mental harm to the victim;
4. Make the victim unwilling to testify as a witness; or
5. Be inappropriate for other good cause shown.

(2) If the court, pursuant to subsection (1), declares that all court records or other information that reveals the photograph, name, or address of the victim are confidential and exempt from [s. 24\(a\), Art. I of the State Constitution](#), the defendant charged with the crime described in chapter 794 or chapter 800, or with child abuse, aggravated child abuse, or sexual performance by a child as described in chapter 827, may apply to the trial court for an order of disclosure of identifying information concerning the victim in order to prepare the defense. This paragraph may not be construed to prevent the disclosure of the victim's identity to the defendant; however, the defendant may not disclose the victim's identity to any person other than the defendant's attorney or any other person directly involved in the preparation of the defense. A willful and knowing disclosure of the identity of the victim to any other person by the defendant constitutes contempt.

(3) The state may use a pseudonym instead of the victim's name to designate the victim of a crime described in chapter 794 or chapter 800, or of child abuse, aggravated child abuse, or sexual performance by a child as described in chapter 827, in all court records and records of court proceedings.

(4) The protection of this section may be waived by the victim of the alleged offense in a writing filed with the court, in which the victim consents to the use or release of identifying information during court proceedings and in the records of court proceedings.

(5) This section does not prohibit the publication or broadcast of the substance of trial testimony in a prosecution for an offense described in chapter 794 or chapter 800, or a crime of child abuse, aggravated child abuse, or sexual performance by a child, as described in chapter 827, but the publication or broadcast may not include an identifying photograph, an identifiable voice, or the name or address of the victim, unless the victim has consented in writing to the publication and filed such consent with the court or unless the court has declared such records not confidential and exempt as provided for in subsection (1).

(6) A willful and knowing violation of this section or a willful and knowing failure to obey any court order issued under this section constitutes contempt.

§ 794.024. Unlawful to disclose identifying information

(1) A public employee or officer who has access to the photograph, name, or address of a person who is alleged to be the victim of an offense described in this chapter, chapter 800, [s. 827.03](#), [s. 827.04](#), or [s. 827.071](#) may not willfully and knowingly disclose it to a person who is not assisting in the investigation or prosecution of the alleged offense or to any person other than the defendant, the

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defendant's attorney, a person specified in an order entered by the court having jurisdiction of the alleged offense, or organizations authorized to receive such information made exempt by [s. 119.071\(2\)\(h\)](#), or to a rape crisis center or sexual assault counselor, as defined in [s. 90.5035\(1\)\(b\)](#), who will be offering services to the victim.

(2) A violation of subsection (1) constitutes a misdemeanor of the second degree, punishable as provided in [s. 775.082](#) or [s. 775.083](#).

Georgia

§ 17-17-10. Requirement by court that defense counsel not disclose victim information to accused

As a condition of permitting a response to an inquiry as to the victim's current address, telephone number, or place of employment, the court may require counsel or any other officer of the court, including but not limited to counsel for the defendant, not to transmit or permit transmission to the defendant of the victim's current address, telephone number, or place of employment by the counsel or officer of the court or any employee, agent, or other representative of the counsel or officer of the court.

Hawaii

Does not appear to have a statute on the subject.

Idaho

Does not appear to have a statute on the subject.

Illinois

Does not appear to have a statute on the subject.

Indiana

Does not appear to have a statute on the subject.

Iowa

Does not appear to have a statute on the subject. However, see:

709.10 Sexual abuse -- evidence.

1. When an alleged victim of sexual abuse consents to undergo a sexual abuse examination and to having the evidence preserved, a sexual abuse evidence collection kit must be collected and properly stored with the law enforcement agency under whose jurisdiction the offense occurred or with the agency collecting the evidence to ensure that the chain of custody is complete and sufficient.

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2. If an alleged victim of sexual abuse has not filed a complaint and a sexual abuse evidence collection kit has been completed, the kit must be stored by the law enforcement agency for a minimum of ten years. In addition, if the alleged victim does not want their name recorded on the sexual abuse collection kit, a case number or other identifying information shall be assigned to the kit in place of the name of the alleged victim.

Kansas

Does not appear to have a statute on the subject.

Kentucky

Does not appear to have a statute on the subject.

Louisiana

LOUISIANA REVISED STATUTES
TITLE 46. PUBLIC WELFARE AND ASSISTANCE
CHAPTER 21-B. RIGHTS OF CRIME VICTIMS AND WITNESSES

La. R.S. 46:1844 (2006)

§ 46:1844. Basic rights for victim and witness

W. Confidentiality of crime victims who are minors and victims of sex offenses..

(1) (a) In order to protect the identity and provide for the safety and welfare of crime victims who are minors under the age of eighteen years and of victims of sex offenses, all public officials and officers and public agencies, including but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board, and the Department of Social Services or any division thereof, shall not publicly disclose the name, address, or identity of crime victims who at the time of the commission of the offense are minors under eighteen years of age or of victims of sex offenses. The confidentiality of the identity of the victim of a sex offense may be waived by the victim. The public disclosure of the name of the juvenile crime victim by any public official or officer or public agency is not prohibited by this Subsection when the crime resulted in the death of the victim.

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, all information regarding juvenile crime victims that is required by a child abduction alert system which assists law enforcement in the successful resolution of child abduction cases, such as the AMBER Alert network, shall be made available to such alert system as quickly as possible.

(2) For purposes of this Section, "sex offense" shall include the perpetration or attempted perpetration of aggravated rape ([R.S. 14:42](#)), forcible rape ([R.S.](#)

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[14:42.1](#)), simple rape ([R.S. 14:43](#)), sexual battery ([R.S. 14:43.1](#)), second degree sexual battery ([R.S. 14:43.2](#)), oral sexual battery ([R.S. 14:43.3](#)), intentional exposure to the AIDS virus ([R.S. 14:43.5](#)), stalking ([R.S. 14:40.2](#)), incest ([R.S. 14:78](#)), aggravated incest ([R.S. 14:78.1](#)), felony carnal knowledge of a juvenile ([R.S. 14:80](#)), indecent behavior with juveniles ([R.S. 14:81](#)), pornography involving juveniles ([R.S. 14:81.1](#)), molestation of a juvenile ([R.S. 14:81.2](#)), crime against nature ([R.S. 14:89](#)), aggravated crime against nature ([R.S. 14:89.1](#)), sexual battery of the infirm ([R.S. 14:93.5](#)), and video voyeurism ([R.S. 14:283](#)).

(3) Notwithstanding any other provision of law to the contrary, all public officials, officers, and public agencies, including but not limited to all law enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board, and the Department of Social Services or any division thereof, charged with the responsibility of knowing the name, address, and identity of crime victims who are minors or of crime victims of a sex offense as a necessary part of their duties shall have full and complete access to this information regarding a crime victim who is a minor or a victim of a sex offense, and they may lawfully utilize initials, abbreviations, or other forms of indefinite descriptions on all public documents used in the performance of their duties to whatever extent they deem necessary, to prevent the public disclosure of the name, address, or identity of such a crime victim.

(4) The provisions of this Subsection shall not apply to the requirement of promptly informing a defendant or his attorney of the name of the victim of a sexual crime during pretrial discovery.

Maine

17-A M.R.S. § 1176. Confidentiality of victim records.

Records that pertain to a victim's current address or location or that contain information from which a victim's current address or location could be determined must be kept confidential and may be disclosed only to a state agency if necessary to carry out the statutory function of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile criminal justice. In no case may a victim's request for notice of release be disclosed outside the agency to which the defendant is committed and the office of the attorney for the State with which the request was filed.

Maryland

Does not appear to have a statute on the subject.

Massachusetts

ALM GL ch. 265, § 24C (2006)

§ 24C. Confidentiality of Records Containing Name of Victim of Rape; Disclosure

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Unlawful; Penalties.

That portion of the records of a court or any police department of the commonwealth or any of its political subdivisions, which contains the name of the victim in an arrest, investigation or complaint for rape or assault with intent to rape under section thirteen B, twenty-two, twenty-two A, twenty-three, twenty-four or twenty-four B, inclusive, of chapter two hundred and sixty-five, shall be withheld from public inspection, except with the consent of a justice of such court where the complaint or indictment is or would be prosecuted.

Said portion of such court record or police record shall not be deemed to be a public record under the provisions of section seven of chapter four.

Except as otherwise provided in this section, it shall be unlawful to publish, disseminate or otherwise disclose the name of any individual identified as an alleged victim of any of the offenses described in the first paragraph. A violation of this section shall be punishable by a fine of not less than two thousand five hundred dollars nor more than ten thousand dollars.

Michigan

Does not appear to have a statute on the subject.

Minnesota

Minn. Stat. § 611A.035 Confidentiality of victim's address

Subdivision 1. Discretion of prosecutor not to disclose. A prosecutor may elect not to disclose a victim's or witness's home or employment address, telephone number, or date of birth if the prosecutor certifies to the trial court that:

- (1) the defendant or respondent has been charged with or alleged to have committed a crime;
- (2) the nondisclosure is needed to address the victim's or witness's concerns about safety or security; and
- (3) the victim's or witness's home or employment address, telephone number, or date of birth is not relevant to the prosecution's case.

If such a certification is made, the prosecutor must make a motion with proper notice for the court's permission to continue to withhold this information.

The court shall either:

- (1) order the information disclosed to defense counsel, but order it not disclosed to the defendant; or
- (2) order the prosecutor to contact the victim or witness to arrange a confidential

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meeting between defense counsel, or defense counsel's agent, and the victim or witness, at a neutral location, if the victim or witness consents to a meeting.

This subdivision shall not be construed to compel a victim or witness to give any statement to or attend any meeting with defense counsel or defense counsel's agent.

Subd. 2. Witness testimony in court. No victim or witness providing testimony in court proceedings may be compelled to state a home or employment address, telephone number, or the date of birth of the victim or witness on the record in open court unless the court finds that the testimony would be relevant evidence.

Minn. Stat. § 609.3471 Records pertaining to victim identity confidential.

Notwithstanding any provision of law to the contrary, no data contained in records or reports relating to petitions, complaints, or indictments issued pursuant to section 609.342, 609.343, 609.344, 609.345, or 609.3453, which specifically identifies a victim who is a minor shall be accessible to the public, except by order of the court. Nothing in this section authorizes denial of access to any other data contained in the records or reports, including the identity of the defendant.

Mississippi

Miss. Code Ann. § 99-43-25 (2006)

§ 99-43-25. Victim residence and identification information; petition, hearing and confidentiality

(1) Based upon the reasonable apprehension of the victim of acts or threats of physical violence or intimidation by the defendant, the family of the defendant, or by anyone at the direction of the defendant, against the victim or the immediate family of the victim, the prosecutor may petition the court to direct that the victim or any other witness not be compelled to testify during pre-trial proceedings or in any trial, facts that could divulge the identity, residence, or place of employment of the victim, or other related information, without consent of the victim unless necessary to the prosecution of the criminal proceeding. If the court schedules a hearing on the merits of the petition, it shall be held in camera.

(2) The address, phone number, place of employment, and other related information about the victim contained in the prosecuting attorney's file shall not be public record.

Missouri

Does not appear to have a statute on the subject.

Montana

Does not appear to have a statute on the subject.

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Nebraska

Does not appear to have a statute on the subject.

Nevada

Nev. Rev. Stat. Ann. § 200.3771 (2006)

200.3771. Victims of sexual assault: Confidentiality of records and reports that reveal identity; when disclosure permitted; penalty.

1. Except as otherwise provided in this section, any information which is contained in:

(a) Court records, including testimony from witnesses;

(b) Intelligence or investigative data, reports of crime or incidents of criminal activity or other information;

(c) Records of criminal history, as that term is defined in [NRS 179A.070](#); and

(d) Records in the central repository for Nevada records of criminal history,

that reveals the identity of a victim of sexual assault is confidential, including but not limited to the victim's photograph, likeness, name, address or telephone number.

2. A defendant charged with a sexual assault and his attorney are entitled to all identifying information concerning the victim in order to prepare the defense of the defendant. The defendant and his attorney shall not disclose this information except, as necessary, to those persons directly involved in the preparation of the defense.

3. A court of competent jurisdiction may authorize the release of the identifying information, upon application, if the court determines that:

(a) The person making the application has demonstrated to the satisfaction of the court that good cause exists for the disclosure;

(b) The disclosure will not place the victim at risk of personal harm; and

(c) Reasonable notice of the application and an opportunity to be heard have been given to the victim.

4. Nothing in this section prohibits:

(a) Any publication or broadcast by the media concerning a sexual assault.

(b) The disclosure of identifying information to any nonprofit organization or public

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agency whose purpose is to provide counseling, services for the management of crises or other assistance to the victims of crimes if:

(1) The organization or agency needs identifying information of victims to offer such services; and

(2) The court or a law enforcement agency approves the organization or agency for the receipt of the identifying information.

5. The willful violation of any provision of this section or the willful neglect or refusal to obey any court order made pursuant thereto is punishable as criminal contempt.

New Hampshire

21-M:8-k Rights of Crime Victims.

II. To the extent that they can be reasonably guaranteed by the courts and by law enforcement and correctional authorities, and are not inconsistent with the constitutional or statutory rights of the accused, crime victims are entitled to the following rights:

(m) The right of confidentiality of the victim's address, place of employment, and other personal information.

New Jersey

§ 2A:82-46. Disclosure of identity of victims of certain crimes under age 18 prohibited

a. In prosecutions for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, criminal sexual contact, endangering the welfare of children under [N.J.S. 2C:24-4](#), or in any action alleging an abused or neglected child under P.L.1974, c.119 ([C.9:6-8.21](#) et seq.), the name, address, and identity of a victim who was under the age of 18 at the time of the alleged commission of an offense shall not appear on the indictment, complaint, or any other public record as defined in P.L.1963, c.73 ([C.47:1A-1](#) et seq.). In its place initials or a fictitious name shall appear.

b. Any report, statement, photograph, court document, indictment, complaint or any other public record which states the name, address and identity of a victim shall be confidential and unavailable to the public. Unless authorized pursuant to subsection c. of this section, any person who purposefully discloses, releases or otherwise makes available to the public any of the above-listed documents which contain the name, address and identity of a victim who was under the age of 18 at the time of the alleged commission of an offense enumerated in subsection a. of this section shall be guilty of a disorderly persons offense.

c. The information described in this act shall remain confidential and unavailable to the public unless the court, after a hearing, determines that good cause exists for

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disclosure. The hearing shall be held after notice has been made to the victim, parents of victim, spouse, or other person legally responsible for the maintenance and care of the victim, and to the person charged with the commission of the offense, counsel or guardian of that person.

d. Nothing contained herein shall prohibit the court from imposing further restrictions with regard to the disclosure of the name, address, and identity of the victim when it deems it necessary to prevent trauma or stigma to the victim.

New Mexico

Does not appear to have a statute on the subject.

New York

Does not appear to have a statute on the subject.

North Carolina

Does not appear to have a statute on the subject.

North Dakota

Does not appear to have a statute on the subject.

Ohio

ORC Ann. 2930.07 (2006)

§ 2930.07. Concealment of victim's or representative's address, telephone number and similar identifying facts

(a) If the prosecutor in a case determines that there are reasonable grounds for the victim in a case to be apprehensive regarding acts or threats of violence or intimidation by the defendant or alleged juvenile offender in the case or at the defendant's or alleged juvenile offender's direction against the victim, the victim's family, or the victim's representative, the prosecutor may file a motion with the court requesting that the court issue an order specifying that the victim and other witnesses in the case not be compelled in any phase of the criminal or delinquency proceeding to give testimony that would disclose the victim's or victim's representative's address, place of employment, or similar identifying fact without the victim's or victim's representative's consent. The court shall hold a hearing on the motion in chambers, and a court reporter shall make a record of the proceeding.

(b) If the court, pursuant to division (A) of this section, orders that the victim's or victim's representative's address, telephone number, place of employment, or other identifying fact shall be confidential, the court files or documents shall not contain that information unless it is used to identify the location of the crime or specified

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delinquent act. The hearing shall be recorded, and the court shall order the transcript sealed.

Oklahoma

Does not appear to have a statute on the subject.

Oregon

Does not appear to have a statute on the subject.

Pennsylvania

Does not appear to have a statute on the subject.

Rhode Island

Does not appear to have a statute on the subject.

South Carolina

Does not appear to have a statute on the subject.

South Dakota

S.D. Codified Laws § 22-24B-15 (2006)

§ 22-24B-15. Sex offender registry -- Records are public records -- Victim identifying information confidential

Registration records collected by local law enforcement agencies pursuant to this chapter, registration lists provided to local law enforcement by the Division of Criminal Investigation, and records collected by institutions pursuant to [§ 22-24B-13](#) for those persons required to register under the provisions of [§§ 22-24B-1](#) to [22-24B-14](#) are public records as provided in chapter 1-27.

Nothing in this section allows the release of the name or any identifying information regarding the victim of the crime to any person other than law enforcement agencies, and such victim identifying information is confidential.

Tennessee

Does not appear to have a statute on the subject.

Texas

Does not appear to have a statute on the subject.

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Utah

§ 77-38-6. Victim's right to privacy

(1) The victim of a crime has the right, at any court proceeding, including any juvenile court proceeding, not to testify regarding the victim's address, telephone number, place of employment, or other locating information unless the victim specifically consents or the court orders disclosure on finding that a compelling need exists to disclose the information. A court proceeding on whether to order disclosure shall be in camera.

(2) A defendant may not compel any witness to a crime, at any court proceeding, including any juvenile court proceeding, to testify regarding the witness's address, telephone number, place of employment, or other locating information unless the witness specifically consents or the court orders disclosure on finding that a compelling need for the information exists. A court proceeding on whether to order disclosure shall be in camera.

Vermont

13 V.S.A. § 5310. Nondisclosure of information about victim

A witness testifying in a criminal proceeding, including any discovery proceedings, shall not be compelled to disclose the victim's residential address or place of employment on the record unless the court finds, based upon a preponderance of the evidence, that nondisclosure of the information will prejudice the defendant.

Virginia

Va. Code Ann. § 19.2-11.2. Crime victim's right to nondisclosure of certain information; exceptions; testimonial privilege

Upon request of any witness in a criminal prosecution under [§ 18.2-46.2](#) or [18.2-46.3](#), or any crime victim, 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, except among themselves, the residential address, telephone number, or place of employment of the witness or victim or a member of the witness' or victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law or Rules of the Supreme Court, (iii) necessary for law-enforcement purposes or preparation for court proceedings, or (iv) permitted by the court for good cause.

Except with the written consent of the victim, a law-enforcement agency may not disclose to the public information which directly or indirectly identifies the victim of a crime involving any sexual assault, sexual abuse or family abuse, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law, (iii)

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necessary for law-enforcement purposes, or (iv) permitted by the court for good cause.

Nothing herein shall limit the right to examine witnesses in a court of law or otherwise affect the conduct of any criminal proceeding.

Washington

Rev. Code Wash. § 10.97.130. Child victims of sexual assaults, identification confidential

Information identifying child victims under age eighteen who are victims of sexual assaults is confidential and not subject to release to the press or public without the permission of the child victim or the child's legal guardian. Identifying information includes the child victim's name, addresses, location, photographs, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Information identifying the child victim of sexual assault may be released to law enforcement, prosecutors, judges, defense attorneys, or private or governmental agencies that provide services to the child victim of sexual assault. Prior to release of any criminal history record information, the releasing agency shall delete any information identifying a child victim of sexual assault from the information except as provided in this section.

West Virginia

Does not appear to have a statute on the subject.

Wisconsin

Wis. Stat. § 904.13. Information concerning crime victims.

(1) In this section:

- (a) "Crime" has the meaning described in [s. 950.02 \(1m\)](#).
- (b) "Family member" has the meaning described in [s. 950.02 \(3\)](#).
- (c) "Victim" has the meaning described in [s. 950.02 \(4\)](#).

(2) In any action or proceeding under ch. 938 or chs. 967 to 979, evidence of the address of an alleged crime victim or any family member of an alleged crime victim or evidence of the name and address of any place of employment of an alleged crime victim or any family member of an alleged crime victim is relevant only if it meets the criteria under [s. 904.01](#). District attorneys shall make appropriate objections if they believe that evidence of this information, which is being elicited by any party, is not relevant in the action or proceeding.

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Wyoming

Wyo. Stat. § 6-2-310 Names not to be released; restrictions on disclosure or publication of information; violations; penalties; effect of disclosure; "minor victim"

(a) Prior to the filing of an information or indictment, neither the names of the alleged actor or victim of a sexual assault nor any other information reasonably likely to disclose the identity of the victim shall be released or negligently allowed to be released to the public by any public employee except as authorized by the judge with jurisdiction over the criminal charges. The actor's name may be released to the public to aid or facilitate an arrest.

(b) After the filing of an information or indictment and absent a request to release the identity of a minor victim by the victim or another acting on behalf of a minor victim, the trial court shall restrict the disclosure or publication of information reasonably likely to identify the minor victim.

(c) Any person who willfully violates this section or who willfully neglects or refuses to obey any court order made pursuant to this section is guilty of contempt and upon conviction shall be fined not more than seven hundred fifty dollars (\$750.00) or be imprisoned in the county jail not more than ninety (90) days, or both.

(d) A release of a name or other information to the public in violation of this section shall not bar the prosecution of an actor nor be grounds for dismissal of any charges against an actor.

(e) As used in this section "minor victim" means a person under the age of eighteen (18) years.

Federal

Does not appear to have a statute on the subject.

Military

Does not appear to have a statute on the subject.