

## Written Demand to Not Disclose – Safe at Home Program

To:

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Mailing Address:

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**NOTICE:** I am a participant in the Safe at Home program. Pursuant to California Government Code section 6208.1, you, your officers, employees, associates, affiliates, agents, assigns, and all others under your direction or control must immediately cease and desist from publicly posting or publicly displaying on the internet or any other public space my home address and telephone number.

Demand is similarly made that the individuals and entities referred to above desist from using the information provided herein for any purpose other than complying with the demands stated herein. This information is supplied only in order to enable compliance with those demands. I specifically withhold, and as necessary withdraw, any authority anyone might claim to have to disclose, disseminate, publish or further distribute in any way any of my personal information or the personal information of members of my household.

Name (First, Middle, Last):

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Home Address (Street, City, Zip):

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Home Phone Number (including Area Code):

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Household Member Name(s) (if requested):

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Sworn Statement: I am subject to the protection of California Government Code section 6205 et seq.

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Signature:

Date:

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The following describes the threat or fear of safety for myself or for person(s) living at my residence.

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**California Government Code:**  
**Section 6208.1**, listed partially below:

**6208.1.** (a)(1) No person, business, association, or other entity shall knowingly and intentionally publicly post or publicly display on the internet or any other public space the home address, home telephone number, or image of a program participant or other individuals residing at the same home address with the intent to do either of the following:

(A) Incite a third person to cause imminent great bodily harm to the person identified in the posting or display, or to a coresident of that person, where the third person is likely to commit this harm.

(B) Threaten the person identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety. Disclosure alone may be considered a threat, depending on the totality of the circumstances.

(2) A participant whose home address, home telephone number, or image is made public as a result of a violation of paragraph (1) may do either or both of the following:

(A) 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 successful plaintiff court costs and reasonable attorney's fees.

(B) Bring an action for money damages in any court of competent jurisdiction. In addition to any other legal rights or remedies, if a jury or court finds that a violation has occurred, it shall award damages to that individual in an amount up to a maximum of three times the actual damages, but in no case less than four thousand dollars (\$4,000).

(b) (1) No person, business, association, or other entity shall knowingly and intentionally publicly post or publicly display on the internet or other public space the home address or home telephone number of a participant if that individual has made a written demand of that person, business, or association to not disclose their home address or home telephone number. A demand made under this paragraph shall include a sworn statement declaring that the person is subject to the protection of this section and describing a reasonable fear for the safety of that individual or of any person residing at the individual's home address, based on a violation of subdivision (a). A written demand made under this paragraph shall be effective for four years, regardless of whether or not the individual's program participation has expired before the end of the four-year period.

(2) A participant whose home address or home telephone number is made public as a result of a failure to honor a demand made pursuant to 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 successful plaintiff court costs and reasonable attorney's fees.

(3) This subdivision shall not apply to a person or entity defined in Section 1070 of the Evidence Code.

(c) (1) No person, business, association, or other entity shall solicit, sell, or trade on the internet, or any other forum, the home address, home telephone number, or image of a participant with the intent to do either of the following:

(A) Incite a third person to cause imminent great bodily harm to the person identified in the posting or display, or to a coresident of that person, where the third person is likely to commit this harm.

(B) Threaten the person identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety.

(2) A participant whose home address, home telephone number, or image is solicited, sold, or traded in violation of paragraph (1) may bring an action in any court of competent jurisdiction. In addition to any other legal rights and remedies, if a jury or court finds that a violation has occurred, it shall award damages to that individual in an amount up to a maximum of three times the actual damages, but in no case less than four thousand dollars (\$4,000).

(d) 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 bodily harm that is likely to occur or threatens to cause bodily harm to a participant or any person residing at the same home address.

(e) Nothing in this section is intended to preclude prosecution under any other provision of law.

(f) For the purposes of this section, the following terms are defined as follows:

(1) "Image" includes, but is not limited to, any photograph, video, sketch, or computer-generated image that provides a means to visually identify the person depicted.

(2) "Program participant" means a person certified as a program participant in the manner described in Section 6206.

(3) "Publicly post" or "publicly display" means to communicate or otherwise make available to the general public.