



Safety and Security Records

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number: MTAS-442

- T.C.A. § 10-7-504(a)(15) makes the “identifying information” of any individual who has a valid order of protection or similar protection document confidential when maintained by a utility service provider, if the individual asks that his/her identifying information be maintained as confidential and provides a copy of the order to be kept on file with the utility. Identifying information is defined to include “home and work addresses and telephone numbers, social security number, and any other information that could reasonably be used to locate the whereabouts of an individual.” Similar language is found in T.C.A. § 10-7-504(a)(16) for all other governmental entities, except that maintaining identifying information as confidential is discretionary in that provision, instead of mandatory.
- T.C.A. § 10-7-504(a)(17) makes the telephone number, address and any other information that could be used to locate a domestic violence shelter, family safety center, rape crisis center, or human trafficking service provider confidential when the information is maintained by a utility service provider and provides other governmental entities with the discretion to maintain the information as confidential.
- T.C.A. § 10-7-504(a)(21)(A)(i) provides that records that would allow a person to identify areas of structural and operational vulnerability of a utility or would permit unlawful disruption to, or interference with, the services provided by a utility are confidential.
- T.C.A. § 10-7-504(a)(21)(A)(ii) provides that all contingency plans of a governmental entity prepared to respond to or prevent any violent incident, bomb threat, ongoing act of violence at a school or business, ongoing act of violence at a place of public gathering, threat involving a weapon of mass destruction, or terrorist incident are confidential.
- T.C.A. § 10-7-504(a)(29) prohibits a municipality from publically disclosing “personally identifying information” about any citizen of Tennessee, unless the citizen consents, disclosure is authorized under federal or state law or disclosure is made to certain financial institutions or consumer reporting agencies under federal law. Use of personally identifying information is permitted by governmental entities when performing official functions and disclosure is permitted to other governmental entities or private individuals contracting with a governmental entity. Personally identifying information is defined to include social security numbers, official state or government issued drivers licenses or identification numbers, alien registration numbers or passport numbers, employer or taxpayer identification numbers, unique biometric data, such as fingerprints, voice prints, retina or iris images, or other unique physical representations, and unique electronic identification numbers, routing codes or other personal identifying data which enables individuals to obtain merchandise or service or to otherwise financially encumber the legitimate possessor of the identifying data.
- T.C.A. § 10-7-504(m) makes information and records directly related to the security of a municipal building confidential. This includes information and records about alarm and security systems used at a municipal building, security plans, including security-related contingency planning and emergency response plans, assessments of security vulnerability, information and records that would identify areas of structural or operational vulnerability or permit unlawful disruption to, or interference with, the services provided by the municipality, and surveillance recordings; except that portions of the recordings may be made public when they capture an incident related to public safety or security or criminal activity.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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