

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 353, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§353-           Inmate release; important government documents.

5           (a) The department shall work with the federal Social Security  
6 Administration to enter into an agreement to establish an  
7 effective, secure, and efficient means for staff from both  
8 agencies to process applications from inmates for replacement  
9 social security cards.

10           (b) Upon entering into the agreement in subsection (a),  
11 the department shall assist each inmate in applying for and  
12 obtaining a social security card before the inmate's release  
13 from custody if the inmate needs a social security card.

14           (c) Subsection (b) shall not apply to inmates who:

15           (1) Have a valid social security card, as determined by  
16 the department, unless the social security card has  
17 been lost, destroyed, or stolen;



- 1        (2) Have an active detainer, unless the department  
2                    determines that cancellation of the detainer is likely  
3                    or that the incarceration for which the detainer was  
4                    issued will be less than twelve months in duration;  
5        (3) Are released due to a compassionate release pursuant  
6                    to department policy; or  
7        (4) Are not in the physical custody of the department one  
8                    hundred eighty days or less before release.  
9        (d) The department, in conjunction with the department of  
10 health, the department of transportation, and the examiner of  
11 drivers of each respective county, shall provide every Hawaii-  
12 born inmate with a certified copy of the inmate's birth  
13 certificate and a state identification card before the inmate's  
14 release upon expiration of the inmate's sentence. A replacement  
15 driver license or replacement state identification card shall be  
16 provided in lieu of a state identification card if an inmate has  
17 a valid driver license or state identification card issued in  
18 the State that was lost, destroyed, or stolen. If the  
19 replacement state identification card or replacement driver  
20 license issued is within six months of expiration, the examiner  
21 of drivers of the respective county of issue may also issue a



1 temporary permit, valid for at least six months after the  
2 inmate's release date, to assist the inmate in the inmate's  
3 transition.

4 (e) Subsection (d) shall not apply to inmates who:

5 (1) Have a valid driver license or state identification  
6 card, as determined by the department, unless the  
7 state identification card or driver license has been  
8 lost, destroyed, or stolen;

9 (2) Have an active detainer, unless the department  
10 determines that cancellation of the detainer is likely  
11 or that the incarceration for which the detainer was  
12 issued will be less than twelve months in duration;

13 (3) Are released due to a compassionate release pursuant  
14 to department policy; or

15 (4) Are not in the physical custody of the department one  
16 hundred eighty days or less before release.

17 (f) The department, for purposes of assisting the inmate  
18 in obtaining a birth certificate, shall submit to the department  
19 of health the following information for all Hawaii-born inmates  
20 in the custody of the department:

21 (1) Photo or digitized photo;



- 1        (2) Date of birth;
- 2        (3) Full name at birth and any subsequent legal name
- 3            changes;
- 4        (4) City and island of birth;
- 5        (5) Mother's full name, including maiden name; and
- 6        (6) Father's full name.
- 7        (g) For inmates born outside of the State, the department
- 8        shall assist the inmate in completing the necessary forms or
- 9        applications to obtain a birth certificate and driver's license
- 10       or state identification card. The department shall also provide
- 11       the inmate with the location and address of the appropriate
- 12       licensing authority from which the inmate may obtain a valid
- 13       identification card in proximity to the inmate's release
- 14       address.
- 15       (h) The department, as part of its annual report to the
- 16       legislature pursuant to section 353C-2, shall:
- 17            (1) Report on the number of inmates released with and
- 18            without social security cards, identification cards or
- 19            driver's licenses, and birth certificates;
- 20            (2) Identify any impediments in the implementation of this
- 21            section; and



1        (3) Provide recommendations to improve the process of  
 2                    obtaining the documents identified in this section for  
 3                    all inmates."

4            SECTION 2. There is appropriated out of the general  
 5 revenues of the State of Hawaii the sum of \$                    or so much  
 6 thereof as may be necessary for fiscal year 2017-2018 for the  
 7 purposes of this Act.

8            The sum appropriated shall be expended by the department of  
 9 public safety for the purposes of this Act.

10          SECTION 3. New statutory material is underscored.

11          SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

*Clarence B. ...*  
Kal Roush  
Will Espero  
Michelle A. ...  
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...

# S.B. NO. 1039

**Report Title:**

Public Safety; Inmates; Social Security Card; Birth Certificate; Identification Card

**Description:**

Requires PSD to work with the Social Security Administration to enter into an agreement to obtain replacement social security cards for inmates. Requires PSD, in conjunction with DOH, DOT, and the examiner of drivers of each county, to provide Hawaii-born inmates with copies of birth certificates and driver's licenses or state ID cards. Requires PSD to assist inmates born outside of Hawaii to obtain birth certificates and photo IDs.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

