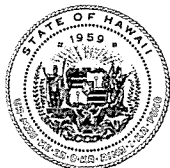


DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

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EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
OFFICE OF COMMUNITY SERVICES
830 PUNCHBOWL STREET, ROOM 420
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8675 / Fax: (808) 586-8685
Email: dlir.ocs@hawaii.gov

IN REPLY, REFER TO:
OCS 22.1048

February 22, 2022

To: The Honorable Sylvia Luke, Chair,
The Honorable Kyle T. Yamashita, Vice Chair, and
Members of the House Committee on Finance

Date: Thursday, February 24, 2022

Time: 11:00 a.m.

Place: Conference Room 308 & Via Videoconference

From: Jovanie Domingo Dela Cruz, Executive Director
DLIR – Office of Community Services

Re: H.B. 1761 HD 1 – Relating to Limited Purpose Identification Cards

I. OVERVIEW OF PROPOSED LEGISLATION

H.B. 1761 HD 1 would provide for the issuance of limited-purpose identification cards for persons who are unable or unwilling to comply with the requirements of federal law for a “Real ID” identification card. The bill sets out detailed requirements that would be included in a new section to be added to HRS Chapter 286, Part XVI, which relates to Civil Identification Cards.

II. CURRENT LAW

Under current law, non-compliant identification cards are addressed in HRS §286-301.5. That section generally provides for the issuance of non-compliant identification cards subject to determination by the U.S. Department of Homeland Security (US DHS) that Hawaii’s non-compliant identification card design complies with the requirements of Title 6, Section 37.71 of the Code of Federal Regulations. The current statute requires the Hawaii Department of Transportation to modify the design of Hawaii’s non-compliant identification cards if required to do so by US DHS.

III. COMMENTS ON THE PRESENT BILL

The Office of Community Services (OCS) is attached to the Department of Labor and Industrial Relations. OCS was created by the Legislature by Act 305, SLH 1985, codified as Hawai‘i Revised Statutes Chapter 371K.

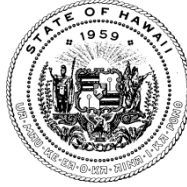
The mission of OCS is to eliminate the causes and conditions of poverty for economically disadvantaged persons, immigrants, and refugees in the State of Hawaii, by facilitating and enhancing the development, delivery, and coordination of effective programs for these persons and communities to enable them to achieve and maintain greater economic self-sufficiency.

The people who would be assisted by this bill are largely non-citizens who lack full documentation for legal presence in the United States. These persons generally are economically disadvantaged and are in the basic demographic that qualifies economically for the services provided by OCS.

OCS recognizes that such persons are here in our State, and in our communities, and that they by-and-large contribute productively to our economy and society. Making non-compliant identification cards available to them serves important societal goals. OCS is pleased to support this bill.

Thank you very much for the opportunity to testify on this valuable measure.

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 24, 2022
11:00 a.m.
State Capitol, Teleconference

**H.B. 1761, H.D. 1
RELATING TO IDENTIFICATION CARDS**

House Committee on Finance

The Department of Transportation (DOT) is in **support** of the intent of H.B. 1761, H.D. 1, Relating to Identification Cards. The purpose of this Act is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual's refusal or inability to provide satisfactory proof of authorized presence in the United States under federal law. This Act would not convey immigration benefits but it would help determine who these folks are which is an important objective of the government. It would also help alleviate an immeasurable amount of suffering for folks who have lost their belongings or have limited documentation.

For continuity and to avoid confusion, we would like to recommend that the bill be amended to have the same documentary requirements for the limited purpose state identification cards to match the requirements of the limited purpose driver's license.

Further, we recommend that the bill be amended so that on page 5, line 19, section (8) *A United States Customs and Immigration Services Deferred Action for Childhood Arrival Approval Letter* be changed to read, A United States Department of Homeland Security Deferred Action for Childhood Arrival Approval Letter, since there is no agency called Customs and Immigration Services.

Also, on page 7, line 18, where it reads, *the examiner of drivers, under the direction of the department of transportation*, be changed to delete the words "under the direction of transportation" because the examiners of drivers is not under the direction of the department of transportation. On Oahu the examiner of drivers is under the Department of Customer Services and on the neighbor islands its location may vary.

Thank you for the opportunity to provide testimony.



An Affiliate of
National Justice
for Our Neighbors

February 22, 2022

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Kyle T. Yamashita, Vice Chair

Hearing Date: February 24, 2022, 11:00 am

Via Videoconference; Conference Room 308

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**Testimony in Support of House Bill 1761, HD 1
Relating to Identification Cards**

Chair Luke, Vice-Chair Yamashita, and Members of the Committee:

The Legal Clinic (“TLC”) submits this testimony in support of HB 1761, HD 1, which would authorize the issuance of limited purpose identification cards for certain residents.

TLC provides legal and related services to Hawai'i's low- and moderate-income immigrant community.

In the course of our work, we have learned that there are many in the immigrant and other marginalized communities, such as the homeless, the elderly and others, who cannot obtain the documents necessary to obtain a “Gold Star” identification card. Many also do not drive, and thus are not eligible to obtain the limited purpose driver's license. And yet, these people have just as much need to access public services and businesses during the pandemic, but cannot do so since some form of proof of identification is required.

While the limited purpose identification card will not satisfy all identification requirements, like the limited purpose driver's license, it will at least help the considerable number of non-drivers access public services and businesses like virtually everyone else.

We urge you to pass HB 1761, HD 1, out of committee.

Thank you.

Corey Park
President, Board of Directors
The Legal Clinic

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair

Representative Kyle Yamashita, Vice Chair

Thursday, February 24, 2022

11:00 AM

HB 1761 HDI - SUPPORT w/ AMENDMENT FOR LIMITED PURPOSE ID CARDS

Aloha Chair Luke, Vice Chair Yamashita and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai`i for more than two decades. This testimony is respectfully offered on behalf of the more than 4,052 Hawai`i individuals living behind bars or under the “care and custody” of the Department of Public Safety or the corporate vendor on any given day. We are always mindful that 1,111 of Hawai`i’s imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

Community Alliance on Prisons supports this measure and respectfully requests that the committee amend the bill on page 6 starting on line 18 the by adding:

(17) A Prison ID, Certificate of Discharge or Order of Parole issued by the Hawaii Department of Public Safety, or a printout prepared by the Department of Public Safety with the person’s photograph, name, and date of birth.

Identification cards are crucial for cashing checks, opening a bank account, seeking employment, finding a place to live, getting a library card, etc. In other words, all the things that help someone feel that they are a part of the community. Identification cards help people who are new to this country as well as returning citizens reentering their communities after incarceration.

Mahalo nui for hearing this bill and for considering the amendment we respectfully request.



www.hicir.org | Instagram @hicir
hicoalitionforimmigrantrights@gmail.com

Testimony in SUPPORT of HB 1761 HD1 RELATING TO IDENTIFICATION CARDS

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Kyle T. Yamashita, Vice Chair

Hearing Date: 2/24/2022

Dear Committee Members,

We write to SUPPORT HB1761 HD1, which authorizes the issuance of limited purpose identification cards for certain residents. This bill provides the opportunity for a Hawai'i state ID card to individuals who are unable to get a "Gold Star" ID card because they cannot access their vital documents to meet the strict federal requirements. It will provide non-drivers with the same kind of ID as the limited purpose driver's license, which Hawai'i has already implemented successfully. This is critical to allow non-driving members of our community access to public services and businesses during the pandemic, as many entities now require a proof of identification.

It is difficult for many Hawai'i residents to obtain the "Gold Star" ID.

The federal REAL ID Act requirements for a "Gold Star" ID are stringent, requiring strict documentation of proof of authorized presence in the United States, and this can be difficult to obtain for many community members, including some immigrants, kūpuna, houseless individuals, and others. First, undocumented immigrants are explicitly excluded from the "Gold Star" ID, because they are unable to show proof of authorized presence. However, they are not the only group excluded by the REAL ID Act requirements. Many U.S. citizens also struggle to obtain the "Gold Star" ID, because of the practical barriers to obtaining the required documents—especially during the COVID-19 pandemic where offices across the country are facing closures and record-setting backlogs.

We have heard many stories of individuals who have struggled to obtain such paperwork, particularly among kūpuna. There is the story of a U.S. national who has lived in Hawai'i for half a century. She was unsure about how to even begin to obtain the documents showing proof of authorized presence, and she used her ID only at the bank. She experienced a sudden and confusing disruption to her decades-long routine when her ID expired, and she was turned away at the DMV. There is the story of a U.S. citizen who has experienced homelessness for many years and has struggled to obtain any of his vital documents—despite his ongoing best efforts.

IDs are necessary for many aspects of daily life during the COVID-19 pandemic.

All individuals, including non-drivers, should have access to identification, which is increasingly required for access to day-to-day needs, like accessing some businesses during the COVID-19



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pandemic. IDs are requested by state agencies, banks, pharmacies, and accessing businesses as a Kama`āina like at museums, hotels, and public parks such as Hanauma Bay. During the COVID-19 pandemic, many spaces require a valid ID and proof of vaccination. And finally, IDs are critical during emergencies, so that emergency personnel can easily identify injured and distressed individuals.

This bill is about inclusion for all members of our community.

In addition to the practical benefits of the limited purpose State ID, this bill is also necessary for inclusion for all members of our community. The inability to overcome the federal REAL ID Act's obstacles for a "Gold Star" ID should not prevent individuals from being full members of our Hawai`i community. The inability to access documents needed for a "Gold Star" ID has wide-ranging effects on all members of our community regardless of immigration status. It does of course have an outsized effect on undocumented immigrant communities.

Inclusion is important because these communities contribute greatly to our economy and society. There are about 41,246 undocumented individuals in Hawai`i as of 2018, and they are estimated to have paid a total of 110.5 million dollars in taxes that year (\$65.7 million in federal taxes paid, and \$44.8 million in state and local taxes paid).¹ With mechanisms towards greater inclusion, these contributions can be even greater. More than just economic statistics, these individuals are also our friends, neighbors, and family members. This bill recognizes that.

The limited purpose state ID is a simple expansion from the successful limited purpose driver's license.

Finally, a limited purpose state ID would not be an entirely new enterprise. Recognizing the challenges of the federal REAL ID Act requirements and the importance of not leaving behind members of our community, the Hawai`i legislature created the limited purpose driver's license in 2015. It has been successfully implemented since then. We have heard stories of individuals who have obtained a limited purpose driver's license, allowing them to engage with the economy and community in new, expanded ways. Non-drivers deserve the same chance.

We fully SUPPORT HB1761 HD1. Thank you for your support and consideration.

Catherine Chen, Co-chair, Hawai`i Coalition for Immigrant Rights
Liza Ryan Gill, Co-chair, Hawai`i Coalition for Immigrant Rights

¹ New American Economy, *Immigrants and Migrants in Hawai`i* (May 2021), at 26, https://research.newamericaneconomy.org/wp-content/uploads/sites/2/2021/05/NAE_Hawaii_V7_FINAL.pdf.



TO: Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: February 24, 2022; 11:00 a.m., Conference Room 308/Video Conference

RE: TESTIMONY IN SUPPORT OF HB 1761 HD 1– RELATING TO IDENTIFICATION CARDS

We ask you to support HB 1761 which authorizes the issuance of limited purpose identification cards for certain residents. We strongly support this bill which will help to eliminate some of the barriers that migrant and immigrant residents face while navigating our systems. Access to a limited purpose identification card would create equal opportunity for migrant and immigrant residents to access health care, benefits, banking, and other services.

Navigating local systems is challenging for families who are new to Hawaii -- Compact Of Free Association (COFA) Citizens and other immigrants -- and already struggling with limited English proficiency, unemployment, lack of affordable housing, food insecurity, little access to technology and inadequacy of support systems or even information about support systems that they might be eligible for. The inequities that were easily observable pre-COVID are now exacerbated, particularly for these residents, and have increased exponentially. Barriers preventing access to acceptable forms of identification complicates things further by making it virtually impossible for these residents to thrive. Issuing limited purpose identification cards would allow our residents to engage more readily in our communities and continue to contribute positively to our economies and society.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 17,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 20 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 1761 HD 1**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.

HB-1761-HD-1

Submitted on: 2/22/2022 10:34:32 PM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thaddeus Pham	Individual	Support	No

Comments:

Aloha Chair Luke, Vice Chair Yamashita, and FIN Committee Members,

I write to SUPPORT HB 1761 HD1, which authorizes the issuance of limited purpose identification cards for certain residents. Hawai'i has already successfully implemented a limited purpose driver's license, and this bill will provide non-drivers with the same kind of ID. As a result, the non-driving members of our community will be able to access public services and businesses during the pandemic, as many entities now require a proof of identification.

It can be difficult to obtain the documents necessary for a "Gold Star" ID, which must be compliant with federal REAL ID Act requirements, including strict documentation of proof of authorized presence in the United States. This can be difficult to obtain for many community members, including some immigrants, kūpuna, houseless individuals, and others.

The inability to overcome these obstacles for a "Gold Star" ID should not prevent individuals from being full members of our community, as the legislature recognized when it created the limited purpose driver's license in 2015.

All individuals, including non-drivers, should have access to identification, which is increasingly required for access to day-to-day needs, like accessing some businesses during the COVID-19 pandemic. As a public health professional working with many of our most vulnerable communities in Hawai'i, I have witnessed how the lack of ID becomes a major barrier to essentials health and social services.

This bill simply extends the limited purpose driver's license, already successfully implemented, to a limited purpose state ID, so that non-drivers can have the same opportunities as drivers in Hawai'i.

With gratitude,

Thaddeus Pham (he/him)

HB-1761-HD-1

Submitted on: 2/23/2022 7:37:14 AM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
amy agbayani	Individual	Support	Yes

Comments:

My name is Amy Agbayani

Thank you to the Filipino House caucus for including HB 1761 in their package and to this committee for hearing the bill. This bill is similar to the Limited Purpose Driver's License which has proven to be very helpful to community members who need to drive and need an acceptable Identification Card. It only makes sense to allow individuals who cannot or do not want to drive a car to also to have Limited Purpose Identification Cards. Having a Limited Purpose ID will be helpful to many citizens (including kupuna citizens) and non-citizens to fully and more easily participate in various activities (e.g. covid-19 regulations require IDs and proof of vaccination or negative test.

Thank you for your consideration.

Amy Agbayani

HB-1761-HD-1

Submitted on: 2/23/2022 8:38:54 AM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carolyn Eaton	Individual	Support	Yes

Comments:

Aloha, Chair Luke, Vice Chair Yamashita and members of the Committee. My name is Carolyn Eaton and I support this bill, but also urge upon you the wisdom of the amendment passed by the Senate, in SB 2456. This amendment would make the limited ID's available to incarcerated persons on their release. Mahalo for this opportunity to share my strong belief in this bill.

HB-1761-HD-1

Submitted on: 2/23/2022 8:50:03 AM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Wendy Gibson-Viviani	Individual	Support	No

Comments:

Dear Chair Luke, Vice-Chair Yamashita and Members of the Committee,

I am Wendy Gibson-Viviani, a healthcare professional (RN) who has lived and worked in Hawaii for 29 years. I support issuing ID cards for people who lack full documentation so that they can fully participate in society. They need full access to medical, banking and vital document services, including COVID testing and being able to pick up a prescription at a pharmacy.

Thank you for your consideration,

Wendy Gibson-Viviani RN/BN

Kailua (Oahu Resident x 29 years)

Robert K. Merce
2467Aha Aina Place
Honolulu, HI 96821

TESTIMONY IN SUPPORT OF HOUSE BILL 1761, H.D. 1

Relating to Identification Cards

COMMITTEE ON FINANCE

Chair, Sylvia Luke

Vice-Chair, Kyle T. Yamashita

Video Conference Hearing
Thursday, February 24, 2022
Time: 11:00 a.m.

Chair Luke, Vice-Chair Yamashita, and Members of the Committee,

My name is Robert Merce. I am a retired lawyer and previously served as vice-chair of the HCR 85 Task Force on Prison Reform. In 2018 I was appointed to the Reentry Commission by House Speaker Scott Saiki and served on the Commission until its responsibilities were transferred to the Hawaii Correctional System Oversight Commission pursuant to Act 179 SLH 2019.

I strongly support HB 1761, H.D. 1 and for the reasons stated below **request an amendment** that would allow formerly incarcerated people to obtain a limited purpose identification card.

Many incarcerated people find themselves without government identification when they are released because their previous identification has expired, or was lost or damaged while they were in prison.

Leaving prison without proper identification can make reentry into the community extremely difficult by blocking access to adequate housing, employment, transportation, financial services, and government benefit programs such as SNAP, Medicaid, Medicare, Social Security, and veterans' benefits. Lack of identification can make complying with the many conditions of probation or parole more difficult, and it prevents formerly incarcerated people from gaining a modicum of stability while they adjust to life outside of prison.

In 2017 the Legislature passed Act 56, SLH 2017 (codified as HRS §353H-32) which requires the Department of Public Safety (DPS) to inform inmates that departmental assistance is available to obtain a civil identification card, and upon request, issue civil identification cards to inmates who have one year or less remaining on their sentence.

It also requires the Department to inform inmates of the availability of departmental assistance to obtain relevant identification documents such as a birth certificate or social security card to facilitate their reentry into the community, and upon request, assist them in obtaining these documents as they are nearing the end of their sentence

Despite the clear requirements of HRS §353H-32, *over the past six years DPS had not issued any civil identification cards to inmates*. The project stalled for a variety of reasons¹ and instead DPS has issued inmates a **Certificate of Discharge, an Order of Parole** (for inmates who are paroled), and a **departmental printout which has the inmate's photograph, name, date of birth**, and social security number (if the inmate had one when he or she entered prison).

Hopefully DPS it will begin issuing civil identification cards in the near future, but until it does, a limited purpose identification card would be an enormous help to the many men and women who are returning to the community from prison.

Even if DPS begins issuing civil identification cards, some inmate may fail to request the card or, for a variety of reasons, be released without a card. In those cases the limited identification card would serve as a safety net for formerly incarcerated individuals.

Accordingly, I recommend that the Committee amend HB 1761 H.D. 1 by inserting the following language in the section listing the documents that can be accepted for the purpose of issuing a limited identification card:

A Prison Identification Card, Certificate of Discharge or Order of Parole issued by the Hawaii Department of Public Safety, or a printout prepared by the Department of Public Safety with the person's photograph, name, and date of birth.

Thank you for allowing me to testify on this matter.

¹The problems DPS has encountered in setting up the program are discussed in their Annual Report to the Legislature on Civil Identification Documents, April 21, 2021. <https://dps.hawaii.gov/wp-content/uploads/2021/05/Reentry-Coordination-Report-on-ID-Documents-Act-56-SLH-2017-210421.pdf>

HB-1761-HD-1

Submitted on: 2/23/2022 7:36:57 PM

Testimony for FIN on 2/24/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diana Bethel	Individual	Support	No

Comments:

I am writing in strong support of HB1761 HD1 which authorizes the issuance of limited purpose identification cards for certain residents.

When an incarcerated person is released from prison, at a minimum they should have some kind of identification card that would allow them to conduct basic tasks necessary to reintegrate into society. Without any ID, individuals would be unable to cash checks, open a bank account, get a library card, or apply for employment or find a place to live.

Also, it seems that it would be a requirement for the DPS to issue an ID card to individuals upon release, whether or not they request one.

Please include the amendment added to the Senate bill which reads:

(3) Adding as acceptable documentation certain documents issued to incarcerated persons upon their release;

Why make it more difficult for individuals to reintegrate into society? An ID card seems like the very least we can do.

Please pass HB1761 HD1 with the Senate amendment. Mahalo.