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Testimony in SUPPORT of SB 2456 SD2 RELATING TO IDENTIFICATION CARDS

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair
Rep. Scot Z. Matayoshi, Vice Chair

Hearing Date: 3/15/2022

Dear Committee Members,

We write to SUPPORT SB 2456 SD2. 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 pandemic. IDs are requested by state agencies, banks, pharmacies, and accessing businesses as a



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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 SB 2456 SD2. 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.

COMMUNITY ALLIANCE ON PRISONS

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COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative Mark Nakashima, Chair

Representative Scot Matayoshi, Vice Chair

Tuesday, March 15, 2022

2:00 PM

STRONG SUPPORT FOR SB 2456 SD2 – LIMITED PURPOSE ID CARDS

Aloha Chair Nakashima, Vice Chair Matayoshi 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 4,008 Hawai`i individuals living behind bars¹ under the “care and custody” of the Department of Public Safety on any given day. We are always mindful that 1,110 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.

Mahalo nui for this opportunity to share Community Alliance on Prisons’ strong support for SB 2456 SD2.

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, IDs are vital for 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. These limited purpose ID cards can help facilitate the integration of a person to the community.

Everyone benefits when we practice aloha!

*“The minute we become an integrated whole, we look through the same eyes
and we see a whole different world together.”*

*Azizah Al-Hibri
Philosopher and Legal Scholar*

¹ Department of Public Safety, Weekly Population Report, March 7, 2022.

<https://dps.hawaii.gov/wp-content/uploads/2022/03/Pop-Reports-Weekly-2022-03-97.pdf>

Statement Before The
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Tuesday, March 15, 2022

2:00 PM

Via Video Conference and Conference Room 325

in consideration of
SB 2456, SD2
RELATING IDENTIFICATION CARDS.

Chair NAKASHIMA, Vice Chair MATAYOSHI, and Members of the House Judiciary & Hawaiian Affairs Committee

Common Cause Hawaii provides comments on SB 2456, SD2, which authorizes the issuance of limited purpose identification cards for certain residents.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to upholding the core values of our representative democracy – a democracy that works for everyone.

Common Cause Hawaii understands that many residents who are young adults, elderly, houseless, undocumented immigrants, lawfully present non—immigrants, incarcerated individuals do not drive and are unable to meet the stringent requirements for a REAL ID compliant identification card. Thus, Common Cause Hawaii supports authorizing the issuance of limited purpose identification cards for certain people.

Automatic Voter Registration (AVR) was passed by this Legislature in 2021 and signed into law as Act 126, SLH 2021. AVR, Act 126, SLH 2021 provides an application for voter registration shall be part of the issuance of an identification card. Common Cause Hawaii provides comments inquiring as to how SB 2456, SD2 will interface with AVR, Act 126, SLH 2021, and those (and only those) who are able to register to vote, including some elderly, houseless, young adults, formerly incarcerated, and more.

Common Cause Hawaii wants to ensure that those, who may be able to vote, may register with AVR, if appropriate, when obtaining limited purpose identification cards. “The right to vote is precious, almost sacred. It is the most powerful nonviolent tool or instrument in a democratic society.” John R. Lewis

Thank you for the opportunity to provide comments on SB 2456, SD2. If you have questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii



HAWAI'I FRIENDS OF CIVIL RIGHTS

March 13, 2022

TO: **Committee on Judiciary and Hawaiian Affairs**
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice-Chair

FROM: Amy Agbayani, Co-Chair & Pat McManaman, Co-Chair

SUBJECT: **SB2456, SD2 Relating to Identification Cards**

HEARING: March 15, 2022, at 2:00 PM
Conference Room 325 and Via Videoconference

The Hawai'i Friends of Civil Rights stands in **STRONG SUPPORT** of **SB2456, SD2**. The federal REAL ID Act of 2005, Pub. L. No. 109-13 requires states to comply with federally mandated eligibility criteria in issuing driver licenses and identification cards. These documents are often referred to as "REAL ID compliant." The REAL ACT does not, however, prohibit states and local governments from issuing non-compliant driver's licenses and identification cards. In 2015, the Hawai'i Legislature created a limited purpose driver's license, a limited purpose provisional driver's license, and a limited purpose instruction permit. Act of June 30, 2015, c 172, (codified at HRS §286-104.5).

Many young adults, elderly residents, houseless persons, recently released inmates, undocumented immigrants, and lawfully present non-immigrants who do not drive and cannot meet the heightened standards for a REAL ID-compliant identification card are unable to access state-issued identification.

Proving your identity is a necessity that turns into an obstacle for many immigrants and non-immigrants attempting to access basic services. These obstacles became absolute barriers to basic services during the worst days of the Pandemic. Restaurants, theaters, and other public venues required proof of valid vaccination and identification. Our public libraries required the same. And, even before the onset of COVID-19, state office buildings including Queen Liliuokalani Building (DHS & DOE) and the Princess Ruth Keelikolani building (DLIR, DoTax, HCRC, OCS, and DCD) required valid proof of identity for entry.

Additional benefits of a limited purpose identification card include:

- Helping emergency personnel, including police and emergency response teams, identify the person in distress;
- Providing basic access to public services including filling prescriptions at a local pharmacy, picking up packages at a post office, accessing Kamaaina discounts at museums, hotels, and public parks such as Hanauma Bay;
- Promoting public safety by diminishing an undocumented immigrant's fear of interacting with local police due to the lack of identification and also helps local police to properly identify individuals they come into contact with; and
- Providing access to financial services at banks that will honor state identification cards and permit holders to open accounts. Many individuals unable to open bank accounts carry large sums of cash and can be targeted for theft. Others, who cannot access a bank account must rely upon check-cashing businesses which may charge a fee of up to 5% or \$5.00 whichever is greater. See, HRS §480F-3.

Thank you for the opportunity to submit testimony on this important bill.

SB-2456-SD-2

Submitted on: 3/13/2022 4:10:58 PM

Testimony for JHA on 3/15/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

No identification Cards for Illegals. Only Americans should have Ides for Voting Ext!!

SB-2456-SD-2

Submitted on: 3/13/2022 7:00:44 PM

Testimony for JHA on 3/15/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Nakashima, Vice Chair Matayoshi, and JHA Committee Members,

I write to SUPPORT SB2456 SD2, 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)

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

TESTIMONY IN SUPPORT OF SB 2456, SD 2
Relating to Identification Cards

COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
Chair, Rep. Mark M. Nakashima
Vice-Chair, Rep. Scot Z. Matayoshi

Date: Tuesday, March 15, 2022
Time: 2:00 pm.
Room 325 via Videoconference

Chair Nakashima, Vice-Chair Matayoshi, and Members of the Committee,

I strongly support SB 2456, SD 2. 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 in 2019. The Reentry Commission's responsibilities included making recommendations to the Department of Public Safety regarding services to support formerly incarcerated persons reentering the community.

One of the main concerns of the Reentry Commission was that persons leaving prison did not have appropriate identification and as result had difficulty accessing 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 impedes the ability of formerly incarcerated people to gain 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, "upon request," to issue civil identification cards to inmates who have one year or less remaining on their sentence.

Despite the clear mandate of HRS §353H-32, *over the past six years DPS had not issued any civil identification cards to inmates*. The project has been 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 with the inmate's name, photograph, and date of birth.

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>

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.

I strongly urge you to pass SB 2456 HD 2.

Thank you for allowing me to testify on this matter.

SB-2456-SD-2

Submitted on: 3/14/2022 8:47:31 AM

Testimony for JHA on 3/15/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Liza Ryan Gill	HI Coalition for Immigrant Rights	Support	In Person

Comments:

Testimony in SUPPORT of SB 2456 SD2
RELATING TO IDENTIFICATION CARDS
COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair
Rep. Scot Z. Matayoshi, Vice Chair
Hearing Date: 3/15/2022

Dear Committee Members,

We write to SUPPORT SB 2456 SD2. 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 pandemic. IDs are requested by state agencies, banks, pharmacies, and accessing businesses as

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 SB 2456 SD2. 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

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Email: dlir.ocs@hawaii.gov

IN REPLY, REFER TO:
OCS 22.1063

March 14, 2022

To: The Honorable Mark M. Nakashima, Chair,
The Honorable Scot Z. Matayoshi, Vice Chair, and
Members of the House Committee on Judiciary and Hawaiian Affairs

Date: Tuesday, March 15, 2022

Time: 2:00 p.m.

Place: Conference Room 325, State Capitol & Videoconference

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

Re: S.B. 2456, SD 2 – RELATING TO IDENTIFICATION CARDS

I. OVERVIEW OF PROPOSED LEGISLATION

SB 2456, SD 2, 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 Hawaii 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 Hawaii Revised Statutes Chapter 371K.

S.B. 2456, SD 2 – RELATING TO IDENTIFICATION CARDS

March 15, 2022

Page 2

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.



March 14, 2022

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair

Rep. Scot Z. Matayoshi, Vice Chair

Hearing Date: March 15, 2022, 2:00 p.m.

Conference Room 325 and Via Videoconference

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**Testimony in Support of Senate Bill 2456, SD 2
Relating to Identification Cards**

Chair Nakashima, Vice-Chair Matayoshi, and Members of the Committee:

The Legal Clinic (“TLC”) submits this testimony in support of SB 2456, SD 2, 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 qualify for a “Gold Star” identification card. Many also do not drive and are not eligible to obtain the limited purpose driver’s license. And yet, these residents have just as much need as others to access public services and businesses during the pandemic, but cannot do so since some form of proof of identification is required.

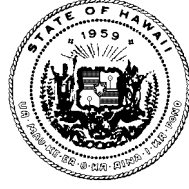
While the limited purpose identification card will not satisfy all identification requirements, like the limited purpose driver’s license, it will at least help the considerable number of non-drivers access public services and businesses like virtually everyone else.

We urge you to pass SB 2456, SD 2 out of committee.

Thank you.

Corey Park
President, Board of Directors
The Legal Clinic

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 14, 2022

TO: The Honorable Representative Mark M. Nakashima, Chair
House Committee on Judiciary & Hawaiian Affairs

FROM: Cathy Betts, Director

SUBJECT: **SB 2456 SD2 - RELATING TO IDENTIFICATION CARDS.**

Hearing: March 15, 2022, 2:00 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, provides comments, and requests clarification. The Department defers to the Department of Transportation.

PURPOSE: This bill authorizes the issuance of limited purpose identification cards for certain residents. Takes effect 7/30/2075. (SD2)

The SD1 amended the measure by:

- (1) Aligning the limited purpose identification card application process with that of the limited purpose driver's license under section 286-104.5, Hawaii Revised Statutes;
- (2) Clarifying the identity of the federal Department associated with the issuance of deferred action for childhood arrival approval letters;
- (3) Adding as acceptable documentation certain documents issued to incarcerated persons upon their release;
- (4) Deleting the reference to the Department of Transportation as providing direction to the examiner of drivers, to clarify the measure's county-wide application; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The SD2 further amended the measure by:

- (1) Specifying that documents that may be used to establish a person's identity include a prisoner identification card, certificate of discharge, order of parole, or printout prepared by the Department of Public Safety with the person's photograph, name, and date of birth;
- (2) Clarifying that an individual issued a limited purpose identification card shall surrender any REAL ID compliant identification card, drivers' license, or permit at the time the limited purpose identification card is issued to the examiner of drivers;
- (3) Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The Department agrees that an additional process to obtain government-issued identification will help those individuals who do not drive and do not have the necessary documentation to obtain REAL ID compliant identification. Importantly, a REAL ID compliant identification is necessary for the average resident to travel by air within the United States.

Recall, as required by Act 243, Session Laws of Hawaii 2015 (Act 243), provided a statutory process by which a homeless individual may establish a principal address and request a fee waiver from the examiner of drivers to obtain an original or renewal ID card. By doing so, the Legislature addressed some of the obstacles that homeless individuals experienced when trying to obtain state-issued identification. Act 243 also established "a working group to be placed in the department of human services for administrative purposes that shall conduct research and develop a plan to enable individuals in the State who are unable to produce documentation required for a state civil ID card to obtain satisfactory documentary evidence."

The Act 243 workgroup clarified that government issued identification is not required to obtain public benefits issued by DHS such as financial or Supplemental Nutrition Assistance Program (SNAP) benefits or health care coverage through Medicaid. However, valid identification is required for employment and rental housing.

While the Act 243 workgroup was primarily focused on the needs of the homeless population, the final report submitted to the 2017 Legislature recommended:

- (1) Legislature should appropriate funds to conduct, develop and implement a regular public outreach campaign to encourage individuals to obtain and maintain current government issued identification (ID) and vital records.

- (2) Legislature should appropriate funds to provide assistance on behalf of those elderly or disabled individuals who require assistance to maintain government issued identification and/or to correct their vital records.¹

Based on the preamble and examples cited in written testimony, these recommendations remain relevant as many residents require assistance to maintain or obtain valid government identification. Following the Act 243 interim report in 2016, the Legislature did appropriate funds to assist individuals experiencing homelessness obtain government issued identification and may want to consider appropriating similar funds in the future for other special populations.

The Department acknowledges the Department of Transportation's request that "the measure requires any individual who holds a REAL ID driver's license or REAL ID state identification card, issued by Hawaii or another state to be ineligible" for the proposed identification. However, DHS requests clarification or reconsideration of the SD1 amendments inserted on page 4, line 14-17, as it may be too broad,

"provided that a person who has been issued a REAL ID compliant driver's license or identification card in any state shall not be issued a limited purpose identification card under this section."

A similar passage does not appear in section 286-104.5, Hawaii Revised Statutes, regarding limited purpose driver's license, limited purpose provisional driver's license, and limited purpose instruction permits. As drafted, the passage may defeat the measure's purpose for many. Individuals often lose their government-issued REAL ID, or it becomes invalid over time or through other events such as a legal name change through marriage, divorce, or otherwise authorized. Individuals needing to replace their lost or invalid government issued REAL ID and no longer have access to their vital documents would not be able to obtain the proposed limited purpose identification.

Similarly, the provision on page 9, lines 8-11, requires further clarification:

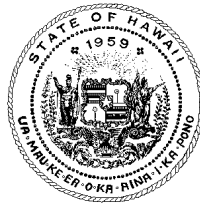
¹ See, the Final Report of the Act 243 Workgroup (SLH 2015) at <https://humanservices.hawaii.gov/wp-content/uploads/2018/02/Final-Report-ACT-243-2015-Government-Identification.pdf>, and the Interim Report of the Act 243 (SLH 2015) Workgroup at <http://humanservices.hawaii.gov/wp-content/uploads/2016/01/Act-243-2015-Working-Group-Interim-Report.pdf>.

"(i) An individual shall surrender any REAL ID compliant identification card, driver's license, or instruction permit at the time the limited purpose identification card is issued to the examiner of drivers."

As drafted, the individual who surrenders their valid REAL ID will no longer be allowed to travel easily interisland by air, such as attending medical appointments or flying to the U.S. mainland on commercial airlines regulated by the Federal Aviation Administration.

Thank you for the opportunity to provide comments on this measure

DAVID Y. IGE
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No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON SENATE BILL 2456, SENATE DRAFT 2
RELATING TO IDENTIFICATION CARDS.

by
Max N. Otani, Director
Department of Public Safety

House Committee on Judiciary and Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

March 15, 2022, 2:00 p.m.
Via Videoconference

Chair Nakashima, Vice Chair Matayoshi, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of Senate Bill (SB) 2456, Senate Draft (SD) 2, which authorizes the issuance of limited purpose identification cards for certain residents.

In advance of their scheduled release, the Department's Reentry Coordination Office offers assistance to offenders in securing birth certificates, driver's licenses, and other identification needed to gain employment and housing, and access other essential services, so they can successfully reintegrate into the community. To help facilitate these often difficult processes, PSD has established working agreements with the issuer of driver's licenses, the State Department of Transportation (DOT), and the City and County of Honolulu, to whom DOT has delegated the responsibility to issue driver's licenses on Oahu, to accept and process offenders' driver's license applications before the offenders' release. PSD notes that the driver's licenses secured in this manner are REAL ID compliant.

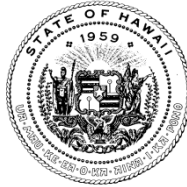
The Limited Purpose Identification Card proposed in SB 2456, SD 2 would not be REAL ID compliant, however, PSD believes it is in the best interests of exiting offenders, as well as the Department and the State for as many offenders as possible to receive ID cards that are acceptable in the community to access basic needs and services, and views this proposal as a reasonable means of achieving that goal.

However, PSD has concerns that the measure expands the list of acceptable documentation that may be used to establish a person's identity to include a printout from the Department of the person's photograph, name, and date of birth. There is presently no document that contains all of those elements. The Department notes that the prisoner identification card, which was added to the list of acceptable documents in SB 2456, SD 1, would capture the entire population of exiting offenders. Of course, if an offender desires a REAL ID compliant identification, the individual will need to present further certified qualifying documentation to obtain a Gold-Star ID and surrender the Limited Purpose ID Card upon approval.

Thank you for the opportunity to present this testimony.

DAVID Y. IGE
GOVERNOR

LATE



TESTIMONY BY:

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March 15, 2022

2:00 P.M.

State Capitol, Conference Room 325/Teleconference

**S.B. 2456, S.D. 2
RELATING TO IDENTIFICATION CARDS**

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation (DOT) **supports with recommendations** S.B. 2456, S.D. 2, which authorizes the issuance of a limited purpose state identification card (LP-SID).

We recommend that the bill be amended to have the document requirements for the LP-SID to match the requirements of the limited purpose driver's license for continuity and security.

Additionally, the bill should require any individual who holds a REAL ID driver's license or REAL ID state identification card, issued by Hawaii or another state, to be ineligible to apply for the LP-SID.

Thank you for the opportunity to provide testimony.