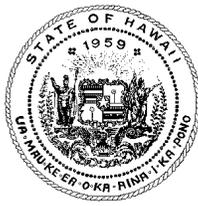


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**
*Ka 'Oihana Ho'omalu Kalaima
a Ho'oponopono Ola*
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Rehabilitation Services
and
Programs

No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON SENATE BILL 224
RELATING TO IDENTIFICATION.

by

Tommy Johnson, Director
Department of Corrections and Rehabilitation

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Wednesday, February 19, 2025, 10:16 a.m.
State Capitol, Conference Room 211 & via Videoconference

Chairs Rhoads, Dela Cruz, Vice Chairs Gabbard, Moriwaki, and Members of both Committees:

The Department of Corrections and Rehabilitation (DCR) supports Senate Bill (SB) 224, which proposes DCR to collaborate with other agencies to inform and assist inmates in obtaining identifying documents as soon as practicable, or within established time frames.

As part of the intake process, DCR currently notifies and assists inmates with obtaining a civil ID Card, replacement birth certificate and social security card, if needed. We are currently exploring the possibility of also including assistance with renewal of Hawai'i State driver license prior to expiration while incarcerated.

SB 224 Relating to Identification
Senate Committee on Judiciary
Senate Committee on Ways and Means
February 19, 2025
Page 2

DCR is currently working with the City and County to secure additional State satellite identification machines to supplement the current machine at Halawa Correctional Facility (HCF). The additional machines will go to some of the other facilities to increase the number of inmates we assist. Additionally, DCR orders birth certificates for inmates, as necessary. DCR also assists them in obtaining social security cards through a Memorandum of Agreement with the Social Security Administration.

Thank you for the opportunity to provide testimony in support of SB 224.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



RYAN I. YAMANE
DIRECTOR
KA LUNA HO'ŌKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'ŌKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
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TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'ŌKELE

February 17, 2025

TO: The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

The Honorable Donovan Dela Cruz, Chair
Senate Committee on Ways and Means

FROM: Ryan I. Yamane, Director

SUBJECT: **SB 224 – RELATING TO IDENTIFICATION.**

Hearing: February 19, 2025, 10:16 a.m.
Conference Room 211 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure, defers to the Department of Corrections and Rehabilitation, and provides clarification. DHS clarifies that identification documents such as birth certificates are used to access social services, including Medicaid; however, a government-issued identification *card* is not a current requirement. Additionally, the DHS Med-QUEST Division (MQD) accepts self-attested information from applicants, removing barriers to applying. MQD only requires documents if the attested information does not match available data sources.

PURPOSE: Requires the Department of Corrections and Rehabilitation, in collaboration with various agencies and upon request of the inmates, to assist inmates in obtaining the inmates' civil identification card, birth certificate, social security card, and other relevant identification necessary for successful reentry into society, as soon as practicable. Requires the Department of Corrections and Rehabilitation to initiate the process of obtaining identifying

February 17, 2025

Page 2

documents for inmates released to work furlough, extended furlough, or community placement programs, by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmate as soon as practicable.

Thank you for the opportunity to provide comments on this measure.

JOSH GREEN, M.D.
GOVERNOR



MARK PATTERSON
CHAIR

CHRISTIN M. JOHNSON
OVERSIGHT COORDINATOR

COMMISSIONERS
HON. R. MARK BROWNING (ret.)

HON. RONALD IBARRA (ret.)

MARTHA TORNEY

HON. MICHAEL A. TOWN (ret.)

STATE OF HAWAII
HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION
E HUIKALA A MA'EMA'E NŌ
235 S. Beretania Street, 16th Floor
HONOLULU, HAWAII 96813
(808) 587-4160

TO: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
Senate Committee on Judiciary

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Sharon Y. Moriwaki, Vice Chair
Senate Committee on Ways and Means

FROM: Mark Patterson, Chair
Hawaii Correctional System Oversight Commission

SUBJECT: Senate Bill 224, Relating to Identification
Hearing: Wednesday, February 19, 2025; 10:16 a.m.
State Capitol, Room 211

Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Members of the Committees:

The Hawaii Correctional System Oversight Commission (HCSOC) **supports** Senate Bill 224, Relating to Identification, which will not only affect the timeliness in which people in custody are *informed* of departmental assistance in obtaining applicable identification documents, but also the timeliness in which they *receive assistance* in obtaining their identification documents.

First and foremost, the HCSOC acknowledges the Department's ongoing collaboration with the DMV and the efforts to expand identification processing capabilities at the Halawa Correctional Facility (HCF) and the Women's Community Correctional Center (WCCC). While the DCR has made progress in collaborating with agencies and facilitating access to identification documents, the Commission found that the Department has not fully met the statutory requirements under §353H-32. Significant gaps remain in informing people in custody about available assistance, prioritizing support for those within one year of release, adhering to prescribed timelines, and providing forms in the individual's primary language.

The Commission found that even though legislative funds have been allocated for this purpose, the DCR reported that, of the 10,580 individuals released since 2022, only 150 received identification cards with DCR assistance, and just 32 of these were provided at no cost. A total of approximately \$61,800 was spent on this identification effort, with \$1,280 directly funding identification card issuance and the remaining \$60,000 allocated to infrastructure.

In addressing §353H-32(b), the DCR has made progress through an MOU with the Social Security Administration (SSA) to assist people in custody in obtaining Social Security cards. Despite this progress, further collaboration with federal, state, and county agencies is needed to streamline access to birth certificates and other relevant identification documents. The MOU limits eligibility to those with confirmed release dates within 120 days, excluding individuals with less than six weeks remaining and

parolees who typically receive only two weeks' notice. This approach does not align with the statutory requirement to assist PIC *within the one-year period prior to parole or release*. Again, the HCSOC does not recommend discontinuing the use of the SSA MOU, but rather finding additional ways for expansion. Additionally, DCR does not consistently inform people in custody about the availability of this assistance, leaving a statutory obligation unmet.

Ensuring individuals receive their identification cards upon release from correctional facilities significantly impacts a formerly incarcerated person's ability to reintegrate into society by providing access to basic necessities like housing, employment, and social services, which are often inaccessible without proper identification. This ultimately impacts the overall population by potentially reducing recidivism rates and promoting successful reentry.

This low number of identification cards issued, especially those provided at no cost, suggests the need for a more effective and efficient strategy, as providing identification is essential for successful reentry. This includes starting the identification application process upon admission to custody, allowing sufficient time to gather required documents and ensure successful identification issuance before release.

Should you have additional questions, the Oversight Coordinator, Christin Johnson, can be reached at 808-900-2200 or at christin.m.johnson@hawaii.gov. Thank you for the opportunity to testify.



TESTIMONY IN SUPPORT OF SENATE BILL 224
RELATING TO IDENTIFICATION

Senate Committee on Judiciary
Senate Committee on Ways and Means
Hawai'i State Capitol

February 19, 2025

10:16AM

Room 211

Dear Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbards, Vice Chair Moriwaki, and Members of the Senate Committees on Judiciary and Ways and Means:

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SB 224, requiring the Department of Corrections and Rehabilitation, in collaboration with various agencies, to assist inmates in obtaining relevant identification such as birth certificates and social security cards. The bill also requires the department to initiate the process of obtaining such identifying documents for inmates prior to release.

OHA strongly supports policies which reduce harmful psychological, social, cultural, and economic impacts on pa'ahao, their 'ohana, and the greater Hawaiian community. Native Hawaiians continue to be disproportionately impacted by Hawai'i's criminal justice system, comprising approximately 37% of the state's correctional facilities, while representing only 21% of the total state population.¹ Ensuring those who have served their sentence receive their identifying documents in a timely manner, meaning before their release, is important to reducing recidivism by enabling these individuals to secure housing, apply for jobs, and travel back to their homes if incarcerated out of state.

SB 224 is a commonsense measure which helps to set individuals leaving prison for success upon their release. The Office of Hawaiian Affairs urges this committee to **PASS SB 224**. Mahalo nui for the opportunity to testify on this critical issue.

¹ "Creating Better Outcomes, Safer Communities – Final Report of the House Concurrent Resolution 85 Task Force on Prison Reform to the Hawai'i Legislature – 2019 Regular Session," HCR 85 Task Force; Legislative Reference Bureau (December 2018) at p. xiii, https://www.courts.state.hi.us/wp-content/uploads/2018/12/HCR-85_task_force_final_report.pdf

COMMUNITY ALLIANCE ON PRISONS

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Today's Inmate; Tomorrow's Neighbor



COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan DelaCruz, Chair

Senator Sharon Moriwaki, Vice Chair

Wednesday, February 19, 2025

Room 211 & VIDEOCONFERENCE

10:16 AM

STRONG SUPPORT FOR SB 224 - IDENTIFICATION - REENTRY

Aloha Chairs Rhoads and DelaCruz, Vice Chairs Gabbard and Moriwaki and Members of the Committees!

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 3,703 Hawai'i individuals living behind bars¹ and under the "care and custody" of the Department of Corrections and Rehabilitation as of February 10, 2025. We are always mindful that 937 - 25.3% - of Hawai'i's imprisoned male population 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 appreciates this opportunity to testify in **support of SB 224** that requires the Department of Corrections and Rehabilitation, in collaboration with various agencies and upon request of the inmates, to assist inmates in obtaining the inmates' civil identification card, birth certificate, social security card,

¹ DCR Weekly Population Report, February 10, 2025

<https://dcr.hawaii.gov/wp-content/uploads/2025/02/Pop-Reports-Weekly-2025-02-10.pdf>

and other relevant identification necessary for successful reentry into society, as soon as practicable. Requires the Department of Corrections and Rehabilitation to initiate the process of obtaining identifying documents for inmates released to work furlough, extended furlough, or community placement programs, by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmate as soon as practicable.

Hawai'i did pass a law in 2017; here is information from the National Council of State Legislatures.²

"Hawaii | § 353H, HB No 845 (2017). The department will inform inmates that departmental assistance is available to obtain civil identification cards and, upon request, will issue the cards to individuals who have less than one year remaining. Here is information from the National Council of State Legislators."

This bill is important in that it strengthens the law by requiring that the civil identification card must be issued *"as soon as practicable but at least one year before the individual's parole or release date."* It also *"requires the Department of Corrections and Rehabilitation to initiate the process of obtaining identifying documents for inmates released to work furlough, extended furlough, or community placement programs, by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmate as soon as practicable."*

In this age of technology, identification documents such as id cards, birth certificates, social security cards, etc. are vital to participate fully in life. Reintegration is difficult for people who have been incarcerated for many years. The world looks and operates quite differently now. A civil identification card is not enough with REAL ID being needed to obtain a drivers license, employment, housing, a bank account, etc.

Here is an Overview from NCSL:

21 states have laws aimed at helping previous offenders get identification either at release or immediately following. But these laws vary.

17 states provide permanent identification cards to those being released, while Utah and New York both provide temporary ID cards.

² **Providing Identification for Those Released From Incarceration**, Updated January 04, 2024.
<https://www.ncsl.org/civil-and-criminal-justice/providing-identification-for-those-released-from-incarceration>

Mississippi, North Carolina, Nevada and Wisconsin explicitly provide for driver's licenses, allowing those who receive them to immediately drive.

9 states – Alabama, Alaska, Arizona, California, Florida, Georgia, Hawaii, Illinois, Texas and Washington – provide state identification cards, sometimes referred to as civil identification cards,

non-driver identification cards or state identification cards. These allow individuals many privileges in society, but do not include the driving privilege. Most recently, Georgia passed SB 218 (2023) which grants authority for their Department of Corrections and Department of Driver Services, in coordination, to provide a personal identification card to any resident of the state upon completion of their term of incarceration.³

3 states – Alabama, Mississippi and Oklahoma that would provide identification for individuals leaving incarceration, **Alabama's legislation was enacted.**

Alabama's HB 2 (2021) requires the Department of Corrections to provide inmates with a social security card and birth certificate. Additionally, the Department of Corrections is directed to work with the Alabama Law Enforcement Agency to assist inmates in receiving a non-driver state identification card.

Mississippi and Oklahoma's legislation failed to pass but they demonstrate two different approaches to legislation. Mississippi's SB 2561 (2021) was a targeted approach that would create a six-month provisional driver's license. Oklahoma's HB 2729 (2021) would create the Oklahoma Prisoner Reentry Pilot Program which would provide a plethora of reentry services, including assisting reentering inmates with obtaining driver licenses or state identification cards.

West Virginia took yet another approach, creating a program to stay unpaid court costs that effectively allows individuals to apply for identification cards as though they do not owe any costs, so long as they continue to make their repayment plan payments. Unpaid court costs remain a common barrier to identification cards for individuals reentering society.

Community Alliance on Prisons supports providing individuals with proper identification documents as an all-important strategy for successful reentry. To that

³ Providing Identification for Those Released From Incarceration, Updated January 04, 2024. <https://www.ncsl.org/civil-and-criminal-justice/providing-identification-for-those-released-from-incarceration>

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end, we share a link to a 38-page document from the U.S. Department of Transportation called: **Leading Practices Toolkit Concerning Government-Issued Identification for Formerly Incarcerated Individuals.**⁴

Mahalo nui for staying on top of this very important issue! Community Alliance on Prisons appreciates the JDC-WAM Committees for scheduling this bill. On behalf of all the human beings, our family, friends, and neighbors in solitary, and their loved ones – the invisible incarcerated – we will be working to support this bill so it can cross the finish line! And we hope that the resources we have provided are helpful to policymakers and the various agencies involved in identification documents. Collaboration is absolutely necessary to get this right!

Mahalo nui for inviting Community Alliance on Prisons and the general public to be part of this discussion!

⁴ **Leading Practices Toolkit Concerning Government-Issued Identification for Formerly Incarcerated Individuals**, U.S. Department of Transportation.
<https://www.transportation.gov/sites/dot.gov/files/2025-01/Leading-Practices-Toolkit-Concerning-Government-Issued-Identification-for-Formerly-Incarcerated-Individuals.pdf>

SB-224

Submitted on: 2/17/2025 1:04:15 PM

Testimony for JDC on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Waikiki Health	Testifying for Waikiki Health	Support	Written Testimony Only

Comments:

Waikiki Health operates the Pu'uhonua Prison Program, which helps incarcerated men and women with preparing for the process of re-entry to society. We have discussed this measure with our program specialist and support its passage.



LATE

Committee: Judiciary and Ways & Means
Hearing Date/Time: Wednesday, February 19, 2025 at 10:16am
Place: Conference Room 211 & via Videoconference
Re: **Testimony of the ACLU of Hawai'i in support of SB224
Relating to Corrections with an Amendment**

Dear Chair Elefante, Vice Chair Wakai and Committee Members:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes in **support of SB224**. This bill requires the Department of Corrections and Rehabilitation (DCR), in collaboration with various agencies and upon request of the inmates, to assist inmates in obtaining the inmates' civil identification card, birth certificate, social security card, and other relevant identification necessary for successful reentry into society, as soon as practicable.

The ACLU of Hawai'i **advocates for diversion and decarceration strategies to reduce the number of people in our jails and prisons**. Simultaneously, we advocate for humane conditions of confinement, meaningful rehabilitation opportunities, and **comprehensive re-entry support services**.

Successful reintegration planning starts from the first day of incarceration.

We acknowledge that the Department of Corrections and Rehabilitation (DCR) has taken some incremental steps towards fulfilling the statutory requirements under HRS §353H-32. However, the data highlighted by the Hawai'i Correctional System Oversight Commission suggests that there is room for significant improvement to assist individuals in obtaining identification cards:

- Since 2022, only 150 incarcerated persons of the 10,580 persons released received identification cards with DCR assistance.
- Only 32 of the 150 persons assisted with identification cards were provided at no costs.
- A total of approximately \$61,800 was spent on this identification effort, with \$1,280 directly funding identification card issuance and the remaining \$60,000 allocated to infrastructure.

Enhancing opportunities for successful reintegration begins with rehabilitation services while incarcerated and at minimum, an identification card upon release from our jails and prisons. Without an identification card, a person is unable to obtain housing,

employment, social services, education, a medical prescription and access to other life opportunities.

Proposed Amendment

To ensure compliance with the law and accountability, we recommend that DCR submit an Annual Report to the State Legislature and include the number of persons assisted and separately those who actually received an identification card upon release from our jails and prisons.

The Report should also include the number of persons who were released without an identification and a summary explanation for the person's release without identification.

In closing, we respectfully request that you pass **SB224** with the proposed amendment.

Sincerely,

Carrie Ann Shirota

Carrie Ann Shirota

Policy Director

ACLU of Hawai'i

cshirota@acluhawaii.org

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

American Civil Liberties Union of Hawai'i
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SB-224

Submitted on: 2/17/2025 4:46:44 PM

Testimony for JDC on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

I strongly support SB224 because it strengthens the law by requiring that the civil identification card must be issued “as soon as practicable but at least one year before the individual’s parole or release date.” It also “requires the Department of Corrections and Rehabilitation initiate the process of obtaining identifying documents for inmates released to work furlough, extended furlough, or community placement programs, by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmate as soon as practicable.”

Identification documents such as id cards, birth certificates, social security cards, etc. are an absolute must for everyone. Please support SB224 to provide individuals with proper identification documents as an all-important strategy for successful reentry.

Thank you,

Carla Allison Honolulu

SB-224

Submitted on: 2/17/2025 7:54:14 PM

Testimony for JDC on 2/19/2025 10:16:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Thank you for scheduling decision-making on this important bill. Its passage will bring the state one step closer to the rehabilitative model our representatives in government and the correctional system have chosen as a new goal. Certainly the community which includes those who currently serve and those who have served sentences in Hawai'i facilities cheer for its passage too.

Mahalo for considering all this strong support today.