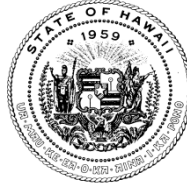


DAVID Y. IGE
GOVERNOR



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

March 15, 2022
3:00 p.m.
State Capitol, Conference Room 224/Teleconference

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

Senate Committee on Transportation

The Department of Transportation (DOT) **supports with recommendations** H.B. 1761 H.D. 1, 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.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

JOVANIE DOMINGO DELA CRUZ
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 22.1063

March 14, 2022

To: The Honorable Chris Lee, Chair,
The Honorable Lorraine R. Inouye, Vice Chair, and
Members of the Senate Committee on Transportation

Date: Tuesday, March 15, 2022

Time: 3:00 p.m.

Place: Conference Room 224 & Videoconference

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

Re: H.B. 1761, HD 1 – RELATING TO IDENTIFICATION CARDS

I. OVERVIEW OF PROPOSED LEGISLATION

HB 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 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.

H.B. 1761, HD 1 – RELATING TO IDENTIFICATION CARDS

March 15, 2022

Page 2

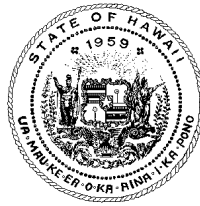
The mission of OCS is to eliminate the causes and conditions of poverty for economically disadvantaged persons, immigrants, and refugees in the State of Hawaii, by facilitating and enhancing the development, delivery, and coordination of effective programs for these persons and communities to enable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

DAVID Y. IGE
GOVERNOR



MAX N. OTANI
DIRECTOR

Maria C. Cook
Deputy Director
Administration

Tommy Johnson
Deputy Director
Corrections

Jordan Lowe
Deputy Director
Law Enforcement

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
1177 Alakea Street, 6th Floor
Honolulu, Hawaii 96813

No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON HOUSE BILL 1761, HOUSE DRAFT 1
RELATING TO IDENTIFICATION CARDS.

by

Max N. Otani, Director
Department of Public Safety

Senate Committee on Transportation
Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice Chair

March 15, 2022, 3:00 p.m.
Via Videoconference

Chair Lee, Vice Chair Inouye, and Members of the Committee:

The Department of Public Safety (PSD) supports the intent of House Bill (HB) 1761, House Draft (HD) 1, 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 HB 1761, HD 1 would not be REAL ID compliant, however, PSD believes it would be very helpful to exiting offenders, who, for one reason or another were not able to secure a REAL ID-compliant card, to obtain a limited purpose identification card to be able to access basic needs and services in the community.

The Department notes the Senate companion to this measure (SB 2456, SD 2) has the same documentary requirements as the limited purpose driver's license, which we would support, so that the enacted law would be closely aligned to existing statute and therefore, less confusing. SB 2456, SD 2 also makes provision for certain documents from correctional facilities to serve as acceptable documentation in applying for a limited purpose ID card. PSD would also support such an amendment to HB 1761, HD 1, because it would further ease the process of applying for an identification card that would avail the individual with access to needed services in the community. 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.

Statement Before The
SENATE COMMITTEE ON TRANSPORTATION
Tuesday, March 15, 2022
3:00 PM
Via Video Conference and Conference Room 224

in consideration of
HB 1761, HD1
RELATING IDENTIFICATION CARDS.

Chair LEE, Vice Chair INOUYE, and Members of the Senate Transportation Committee

Common Cause Hawaii provides comments on HB 1761, HD1, 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, and lawfully present non—immigrants 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, 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



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

Testimony in SUPPORT of HB 1761 HD1 RELATING TO IDENTIFICATION CARDS

COMMITTEE ON TRANSPORTATION

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

Hearing Date: 3/15/2022

Dear Committee Members,

We write to SUPPORT HB1761 HD1, with a suggested amendment adding the following as acceptable documentation issued to incarcerated persons upon their release: “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.” 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.



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

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 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.

COMMUNITY ALLIANCE ON PRISONS

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

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



COMMITTEE ON TRANSPORTATION

Senator Chris Lee, Chair

Senator Lorraine Inouye, Vice Chair

Tuesday, March 15, 2022

3:00 PM

SUPPORT w/ AMENDMENT - HB1761 HD1, LIMITED PURPOSE ID CARDS

Aloha Chair Lee, Vice Chair Inouye 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 HD1 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 the opportunity to testify. 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 considering the amendment we respectfully request.

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>



HAWAII FRIENDS OF CIVIL RIGHTS

March 13, 2022

TO: **Committee on Transportation**
Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice-Chair

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

SUBJECT: HB1761, HD1 – Relating to Identification Cards

HEARING: March 15, 2022, 3:00 PM
Conference Room 224 & Videoconference

The Hawai'i Friends of Civil Rights stands in **STRONG SUPPORT** of **HB1761, HD1** with a suggested amendment adding the following as acceptable documentation issued to incarcerated persons upon their release: “ 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. “

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, 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. Restaurants, theaters, and other public venues now require proof of valid vaccination and identification. Our public libraries require 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.

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 testify in support of this measure.



March 14, 2022

COMMITTEE ON TRANSPORTATION
Sen. Chris Lee, Chair
Sen. Lorraine R. Inouye, Vice Chair

BOARD OF DIRECTORS

Corey Park, JD
President

Lowell Chun-Hoon, Esq.
Vice President

Roman Leverenz
Secretary

Kelley D. Settles
Treasurer

Amy Agbayani, PhD

Shanty Asher, JD

Dr. Ismail Elshikh

Clare Hanusz, Esq.

Susan A. Li, Esq.

Agnes Malate, PhD

Shingayi Masiya

Rev. Amy C. Wake

Susan S. K. Wong, JD

ADVISORY BOARD

Rev. Dr. Tom Choi,
*First United Methodist
Church*

John Egan, Esq.
*Director-Refugee &
Immigration Law Clinic,
William S. Richardson
School of Law
Univ. of Hawai'i at Mānoa*

Hearing Date: March 15, 2022, 3:00 pm
Via Videoconference; Conference Room 224

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

Chair Lee, Vice-Chair Inouye, 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



TO: Chair Lee, Vice Chair Inouye, and Members of the Senate Committee on Transportation

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

DATE/LOCATION: March 15, 2022; 3:00 p.m., Conference Room 224/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: 3/12/2022 3:09:58 PM

Testimony for TRS on 3/15/2022 3:00:00 PM

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

Comments:

NO ILLEAGLES IN HAWAII PERIOD!! Your job is on the Line!!

HB-1761-HD-1

Submitted on: 3/13/2022 6:58:44 PM

Testimony for TRS on 3/15/2022 3:00:00 PM

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

Comments:

Aloha, Chair Lee, Vice-Chair Inouye, and TRS 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. I fully SUPPORT HB 1761 HD 1.

With gratitude,

Thaddeus Pham (he/him)

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

TESTIMONY IN SUPPORT OF HB 1761, HD 1
Relating to Identification Cards

SENATE COMMITTEE ON TRANSPORTATION
Chair, Senator Chris Lee
Vice-Chair, Senator Lorraine R. Inouye

Date: Tuesday, March 15, 2022
Conference Room 224 & Videoconference

Chair Lee, Vice-Chair Inouye, and Members of the Committee,

I am a retired lawyer. 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.

I strongly support HB 1761, HD 1 and respectfully request an **amendment** to the bill's "acceptable documentation" list by adding the language below which would allow formerly incarcerated individuals to obtain a limited purpose identification card:

(16) 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.

Reasons for the Amendment. One of the main concerns of the Reentry Commission was the lack of identification cards for prisoners reentering the community. Leaving prison without proper identification can make reentry into the community much more 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 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.

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 otherwise be released without a card. In those cases the limited identification card would serve as a safety net for formerly incarcerated individuals.

In view of the fact that the Department of Public Safety is not now issuing identification cards, and we do not know when, if ever, such cards will be issued, I urge the Committee to pass HB 1761, HD 1 with the suggested amendent to allow formerly incarcerated people to obtain a limited purpose identification card.

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: 3/14/2022 8:49:04 AM

Testimony for TRS on 3/15/2022 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Liza Ryan Gill	Individual	Support	Remotely Via Zoom

Comments:

Dear Committee Members,

We write to SUPPORT HB1761 HD1, with a suggested amendment adding the following as acceptable documentation issued to incarcerated persons upon their release: “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.” 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 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). 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