

**Act 243 (2015) State Civil Identification Card Working Group
Minutes of October 16, 2015 Meeting
Department of Human Services, Director's Conference Room
1390 Miller Street, Room 209
Honolulu, Hawaii 96813
Conference call: 1-888-482-3560, Access: 586-4888#
1:00 p.m.-3:00 p.m.**

Work group members present/by phone:

County of Hawaii, Naomi O'Dell, Vehicle Registration & Licensing Division;
City & County of Honolulu: Ricky S. Akase, Chief Licensing Examiner & Inspector;
County of Kauai: Michael Drake, Supervising License Examiner;
County of Maui: Laurie Kealiinohomoku, Motor Vehicle & Licensing;
Department of Health (DOH): Alvin T. Onaka, Ph.D., State Registrar & Chief;
Department of Human Services (DHS): R. Malia Taum-Deenik, Project Specialist;
Department of Labor & Industrial Relations/Office of Community Services (DLIR/OCS):
Rona Suzuki, Executive Director, Joy Kobayashi, Program Specialist;
United States Citizenship & Immigration Services (USCIS): Darlene Kutara, Community
Relations Officer, Katy Leung, Field Office Director.

Public members present/by phone:

Representative Dee Morikawa, Chair of the House Committee on Human Services;
Department of Transportation (DOT): Dennis Kamimura;
Office of the Governor: Scott Morishige, Homeless Coordinator, Jasmine Choy, intern.

1. Quorum: 6

Quorum was present.

2. Roll call and introduction of members of the Working Group

Work group members and public guests introduced themselves.

3. Purpose of the Working Group: conduct research and develop a plan to enable individuals in the State who are unable to produce documentation required for a state civil identification card to obtain satisfactory documentary evidence.

The work group reviewed and discussed Act 243 and as well as the legislature's Conference Committee report that stated additional insight as to the legislature's intent to "[e]stablish a working group to develop a plan to enable *homeless* individuals to obtain necessary documentary evidence to obtain a state civil identification card." [Italics added]

Following the discussion, a motion was made to narrow the purpose of its work to develop a plan to enable homeless individuals to obtain satisfactory documentary evidence needed to obtain a state civil ID card. The motion passed.

Follow up: DHS representative will contact the sponsoring legislators of Act 243/SB 273 to inform them of the working group's decision to narrow the group's purpose and to request additional clarification if required.

4. Policy discussion: Real ID Act compliant ID

The group discussed components of the federal Real ID Act and limited purpose identification. Information was shared that the legislature passed Act 172 (2015) that provides for limited purpose driver's licenses for those without all necessary documentation to obtain a fully compliant driver's license. The limited purpose driver's license will not be acceptable for federal identification purposes. Steps are being made so that the limited purpose driver's licenses will be easily distinguishable from compliant Real ID Act issued driver's licenses.

5. Problem analysis:

A) Identify problems that individuals have with obtaining vital records needed to obtain Real ID Act compliant identification.

- a. **DOH:** EVVE (Electronic Verification of Vital Events) is a national system that State health departments and other authorized users utilize to certify birth and death information. For individuals born in Hawaii, it is easy to obtain their birth certificates. For individuals born in the U.S., birth certificates may be requested and births may be verified. Obtaining foreign birth certificates is more difficult, especially if a birth was not registered. The elderly have a similar issue if their birth was not registered.
- b. **USCIS:** Non-citizens have difficulty obtaining state issued identification. There are often language access issues and foreign applicants leave licensing offices confused about the documentation that they are lacking; a checklist of documents needed to clarify why identification was denied would be helpful. Additionally, reports were made that previously scanned in documents were not available. Also, various program staff often do not recognize valid immigration documentation as being valid. While the I-94 form is used to determine lawful entry, it is not the only document that can be used to establish the date of entry.

Follow up: DOT will work on developing a checklist for applicants listing required documents that are missing to obtain valid ID.

Follow up: DOT indicated it would look into and address missing records that were previously scanned.

- c. **DHS:** To access public benefits through DHS, amongst other things, applicants are required to provide evidence of: identity, age, citizenship, lawful presence in the U.S., and Social Security number for all members in the benefit household. Most of these program requirements are federal requirements. Question was asked whether a photo could be placed on the EBT card and used as a form of government issued identification.

Follow up: DHS: Can a photo be placed on the EBT card?

- d. **City & County of Honolulu:** Testimony in support of SB273 indicated that HPD confiscates identification during arrests. This apparently is not an HPD policy. However, the working group should check with Ross Sasamura, Director of the City Department of Facility Maintenance, responsible for enforcement of the stored property and sidewalk nuisance ordinances (SPO / SNO).

Follow up: with City/stored property and determine whether ID are stored; if so, how do individuals retrieve the ID.

- e. **DLIR/OCS:** there is no longer a program that provides funding to obtain replacement I-94 forms.
- f. **Governor's Coordinator on Homelessness:** currently, service providers refer homeless individuals to Janet Kelly, staff attorney with the Legal Aid Society of Hawaii, to assist with replacing identification. Many problems are associated with name changes through divorce and marriage that are difficult to track down, especially if the individual has mental health issues.
- g. **Department of Public Safety (PSD):** Testimony in support of SB273 also referenced that ID are confiscated by PSD and not returned when inmates are released from prison. The work group should inquire with PSD as to their policy regarding inmate identification documents.

Follow up: with Department of Public Safety to determine their policy regarding inmate ID

B) Identify administrative problems

6. Deadlines:

A) The working group shall submit an interim report to the legislature no later than twenty days prior to the convening of the regular session of 2016.

- i. Preparation of the report: does the working group require a committee?
- ii. Determine content contributions of working group members
- iii. Establish deadlines for report
 - a. Contributions to DHS, proposed deadline: December 1, 2015
 - b. Draft Report available for review and comment, proposed deadline: December 15, 2015
 - c. Comments due to DHS, proposed deadline: December 26, 2015

B) The working group shall submit a final report with its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2017. Deadlines will be established in the future.

7. Additional Meeting dates:

A) November 13, 2015, 1:30-3:30 p.m., Department of Transportation, 5th Floor Conference Room, 869 Punchbowl Street, Honolulu, Hawaii 96813. Video conferencing will be available.

B) Establish December meeting date [after December 15, 2015, to coincide with Draft Report]

8. Public testimony: none received.

9. Adjournment: meeting adjourned at 3:00 p.m.