

SENATE BILL REPORT

SHB 2518

As of February 24, 2014

Title: An act relating to the pilot identicard program.

Brief Description: Creating the pilot identicard program.

Sponsors: House Committee on Public Safety (originally sponsored by Representatives Habib, Walsh, Goodman, Haigh and Roberts).

Brief History: Passed House: 2/12/14, 97-0.

Committee Activity: Human Services & Corrections: 2/24/14.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Shani Bauer (786-7468)

Background: The Washington Department of Licensing (DOL) issues driver's licenses, endorsements, and identicards that are valid for up to five years. An identicard is a non-driving Washington identification card (ID) issued by DOL.

DOL must issue an identicard containing a picture to any applicant provided that the applicant (1) does not hold a valid Washington driver's license; (2) proves the applicant's identity; and (3) pays the required statutory \$45 fee. An identicard is generally issued for up to five years at a charge of \$45 unless the applicant receives public assistance, in which case the cost is equal to the actual cost to produce the identicard. The cost for an identicard will increase to \$54 and will be valid for six years, effective August 2014.

Identicards are distinctly designed so that they are not confused with an official driver's license and expire on the fifth anniversary of the applicant's birthdate after issuance. An applicant may renew an identicard by means of personal appearance at a DOL office, by mail, or electronic commerce.

DOL and the Department of Corrections (DOC) have an interagency agreement regarding issuing identicards to offenders released from and leaving correctional facilities. Under this agreement, before an offender is released, DOC electronically notifies DOL with the offender's identifying information including the offender's name, photo, date of birth, Social Security number and any known aliases. Once the offender is released to the community, the offender must take the DOC-issued identicard to a DOL office.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A DOL employee compares the information previously received from DOC to the DOC identicard, verifies the applicant's Social Security number via the Social Security Administration database, has the person sign an application, takes a photo, and collects the applicable \$45 fee as set in statute. DOL runs facial recognition on all applicants to prevent identity theft and then the applicant receives a temporary identicard card. The permanent identicard, which is valid for five years, is mailed to the person by DOL's central issuance vendor.

The Monroe Correctional Complex (MCC) is located in Monroe, Washington, and has an operating capacity of 2400 with custody levels ranging from minimum to closed custody levels. The MCC released 755 offenders, excluding those who were deported, in the 2013 calendar year.

Summary of Bill: By September 1, 2014, DOL must work in conjunction with DOC to create a two-year Pilot Identicard Program (program) within the MCC. The goal is to create a program to provide offenders with a state-issued identicard upon release from incarceration.

Each offender is eligible for an original, renewal, or replacement identicard provided the offender:

- meets DOL's criteria of being able to prove the offender's identity, a DOC identicard being sufficient proof of identity;
- is under the custody of DOC;
- had been sentenced to an incarceration period exceeding one year and one day; and
- is incarcerated within the MCC and is within two months or less of release from the correctional institution.

DOL must waive the requirement that the offender not hold a valid Washington driver's license in order to receive an identicard. Each identicard issued to an offender expires one year from the date the identicard is issued. DOL may not charge an offender any fee for an identicard issued under the pilot program. DOL, in consultation with DOC, must review and evaluate the program at the MCC and submit a report to the Governor and the appropriate committees of the Legislature by December 1, 2016.

The program expires on December 1, 2016.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 18, 2014.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Credit for this bill really goes to the King County Prosecutor, Dan Satterberg. We know that housing and employment are critical to avoiding recidivism. Having an identicard is necessary to obtaining those services. Under the current status quo, some DOL offices will not accept the DOC identicard as valid proof of

identity. Further, the gate money given to offenders upon release – \$40 – is not sufficient to allow an offender to get an identicard. This bill tries something new and will give offenders one year in order to renew the identicard on their own. It also has the benefit of updating the law enforcement database for biometrics. The person's identity is not in question; they just need an ID that is widely accepted once they are released.

Persons Testifying: PRO: Representative Habib, prime sponsor; Alex Hur, Pioneer Human Services; Dan Pacholke, DOC; Tony Sermonti, DOL.