

SENATE BILL REPORT

SB 5558

As of February 20, 2017

Title: An act relating to issuing a two-year identicard for offenders released from prison facilities.

Brief Description: Issuing a two-year identicard for offenders released from prison facilities.

Sponsors: Senators Darneille, O'Ban and Angel; by request of Department of Corrections.

Brief History:

Committee Activity: Law & Justice: 2/15/17.

Brief Summary of Bill

- Requires the Department of Corrections, working in conjunction with the Department of Licensing, to create and implement a program to provide a state-issued identicard to certain offenders released within Washington.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Shani Bauer (786-7468)

Background: Identicards. The Department of Licensing (DOL) issues identification cards known as identicards. Identicards expire on the sixth anniversary of the applicant's birthdate after issuance, at which time they may be renewed. DOL must issue an identicard to any applicant who:

- does not hold a valid Washington driver's license;
- proves their identity; and
- pays a \$54 fee, which may be reduced to the cost of identicard production if the applicant receives public assistance grants.

Issuance of Identicards to Released Offenders. DOL and the Department of Corrections (DOC) have a memorandum of understanding to issue identicards to offenders released from correctional facilities. Before an offender is released, DOC provides DOL with the offender's identifying information. Once released, an offender may present their DOC-issued identification card at a DOL office, where a DOL employee verifies the offender's identity and collects the applicable \$54 fee before issuing an identicard.

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.

In 2016, the Governor issued Executive Order 16-05 "Building Safe and Strong Communities Through Successful Reentry" requiring DOL to identify a mechanism to ensure that all offenders leaving a state correctional facility have an identification card.

Monroe Correctional Complex Pilot Program. The DOL and the DOC previously administered a pilot identicard program within the Monroe Correctional Complex (MCC). The program provided offenders with a state-issued identicard, which expired on the first anniversary of the offender's birthdate after issuance. Expenditures for the pilot program were funded out of the 2014 Supplemental Operating Budget, and DOL was not permitted to charge any fee to an offender.

Offenders were eligible for an identicard provided they:

- proved their identity, which could be done using a DOC-issued identification card;
- were under the custody of DOC;
- had been sentenced to a period of incarceration exceeding one year and one day; and
- were within two months of release from Monroe.

Summary of Bill: DOC, working in conjunction with DOL, must create and implement a program to provide a state-issued identicard to certain offenders released within Washington. DOC and DOL may implement the program over a period of time not to exceed 12 months and may enter into a memorandum of understanding to do so.

An offender is eligible for an identicard provided they:

- are sentenced to DOC custody, and incarcerated within a correctional facility with an earned release date that is more than one year from their admission date;
- have not been found by the United States Attorney General to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of incarceration; and
- are expected to be released to a location within Washington.

A DOC-issued identification card may serve as proof of identity and residency in obtaining an identicard. An identicard issued under this program expires two years from the first anniversary of the offender's birthdate after issuance.

DOL may charge DOC an \$18 fee for each identicard issued under this program. DOC may seek reimbursement from the offender and may deduct the identicard's cost from the offender's mandatory savings account or from funds that have been received on the offender's behalf for the identicard.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: It can take up to 30 days or more for an offender to get some type of identification after release from prison. The identicard is needed in order to secure housing, secure employment, and address other related necessities. We want to make every effort to help released people avoid predictable conditions that can lead to future recidivism. Facilitating successful reentry is in our best interest as a society. Texas, Ohio, and DC have all implemented a similar program. The program is supported by prosecutors, law enforcement, and defenders. This bill is part of a statewide approach to recidivism reduction and removing a significant barrier for offenders reentering into society. DOL and DOC have worked hard to reduce the cost associated with the program and serve those who need it most.

Persons Testifying: PRO: Senator Jeannie Darneille, Prime Sponsor; Devon Schrum, Department of Corrections.

Persons Signed In To Testify But Not Testifying: No one.