

Date of Hearing: July 5, 2021

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

SB 629 (Roth) – As Introduced February 19, 2021

**SENATE VOTE:** 38-0

**SUBJECT:** Identification cards

**SUMMARY:** Permits an inmate slated for release from a state prison to obtain an original California identification card (ID), and expands eligibility for an inmate to obtain a replacement identification card by allowing an inmate to have a Department of Motor Vehicles (DMV)-sanctioned photo taken while in custody. Specifically, **this bill**:

- a) Clarifies that an eligible inmate who already has an ID or driver's license (DL) can have a new photo taken if the photo is deemed unusable.
- b) Requires the eligible inmate to have California residency.
- c) Authorizes an inmate who has not previously held a California DL or ID to get an ID issued upon release if the following apply:
  - 1) The inmate has signed and verified their application for an ID card under the penalty of perjury.
  - 2) The inmate has a usable photo taken.
  - 3) The inmate has provided a legible print of their thumb or finger.
  - 4) The inmate has provided acceptable proof that the inmate's true full name, date of birth, social security number, legal presence in the United States and California residency.
- d) Specifies that the fee for a new or replacement ID for an eligible inmate at \$8.

**EXISTING LAW:**

- 1) Requires that CDCR and DMV ensure that all eligible inmates released from state prison have a valid identification card.
- 2) Defines "eligible inmate" to mean an inmate who meets all of the following requirements:
  - a) The inmate has previously held a California DL or ID;
  - b) The inmate has a usable photo on file with DMV that is not more than 10 years old;
  - c) The inmate has no outstanding fees due for a prior California ID; and,
  - d) The inmate has provided, and DMV has verified, all of the following information: the inmate's true full name, the inmate's date of birth, the inmate's social security number,

and the inmate's legal presence in the United States.

- 3) Establishes an \$8 fee for a replacement identification card issued to an eligible inmate upon release from a state or federal correctional facility or a county jail facility.
- 4) Defines "eligible inmate" to mean an inmate who meets all of the following requirements: the inmate previously held a California DL or ID; the inmate has a usable photo on file with the department that is not more than 10 years old; the inmate has no outstanding fees due for a prior California ID; the inmate has provided, and DMV has verified, his or her true full name, date of birth, social security number, and legal presence in the United States; the inmate currently resides in a facility housing inmates under the control of CDCR, a federal correctional facility, or a county jail facility; the inmate has provided the department, upon application, a verification of his or her eligibility under this subdivision that meets all of the requirements.

**FISCAL EFFECT:** Unknown

**COMMENTS:** In 2014 the California Legislature passed AB 2308 (Stone) Chapter 607, which required CDCR to implement codified the Cal-ID program implemented by CDCR to provide inmates an ID upon release from prison. ID cards are a necessity for those re-entering society. Not having one can become a roadblock for future employment, housing or public benefits. For example, according to a survey from the National Law Center on Homelessness and Poverty (NLCHP), in a given month in 2004, 54% of homeless people without photo ID were denied access to shelters or housing services, 53% were denied food stamps, and 45% were denied access to Medicaid or other medical services.

While Cal-ID has been successful in ensuring people released from CDCR are provided an ID upon release, certain restrictions under existing law have led to thousands being denied an ID. According to CDCR, the sponsor of this bill, "between July 2019 and June 2020, CDCR submitted 16,654 applications to DMV for individuals that were eligible to receive a CAL-ID. DMV approved and issued over 13,500 ID cards. Of those issued, 10,460 persons were released with an ID card and the remaining received their ID card through a parole agent for those under state parole supervision, or a probation officer for those under local post release community supervision. The problem is that during this time, there were 4,120 individuals that were released from state prison without a valid CAL-ID because their DMV photo was more than 10 years old. Many of these individuals were elderly or had served lengthy sentences, presenting added challenges with navigating the already complex network of social services and otherwise, easily accessible resources."

To address these issues, this bill proposes to remove the restriction that DMV have a valid photo ID from the last ten years [BFI] in order for the person to receive a new ID and permits pictures to be taken in prison for the use of an ID for those persons who never had valid ID prior to their incarceration. These new application for ID cards will be eligible for the \$8 charge currently available to newly released inmates for renewed ID cards.

According to the author, "Nearly every individual released from prison encounters extreme barriers to successful reentry. Limiting access to a valid form of identification only adds to those barriers. An ID is almost always required to apply for jobs, seek medical care, receive housing

assistance, or open a bank account. SB 629 expands Cal-ID program by removing barriers for state inmates to obtain a state identification card upon their release from state prison in order to improve access to vital state and federal benefits when reentering the community.”

*Related Legislation:* AB 717 (Stone), of 2021 would require CDCR and DMV to make all reasonable efforts to ensure that all inmates released from state prison are released with a valid California ID or DL, and to provide these IDs for a reduced fee of \$8. AB 717 is currently pending in the Senate Public Safety Committee.

*Prior Legislation:*

- 1) AB 2308 (Stone) Chapter 607, Statutes of 2014, expanded the Cal-ID program in an attempt to ensure that all people being released from state prisons would be released with ID. To be eligible for program, a person must have previously held a California ID, have a recognizable photo on file with the DMV from within the last 10 years, possess a DMV-verifiable social security number, birth date, and proof of legal presence in the United States, and must not owe any fines or fees.
- 2) AB 2835 (Stone) of the 2019-2020 Legislative Session would have expanded the CAL-ID program to include original and renewal California IDs, Drivers Licenses, and Real-IDs. The bill was not set in Assembly Public Safety due to COVID-19 bill limitations.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

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**Opposition**

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