
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Steven Bradford, Chair
2021 - 2022 Regular

Bill No: SB 629 **Hearing Date:** April 6, 2021
Author: Roth
Version: February 19, 2021
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Identification cards*

HISTORY

Source: California Department of Corrections and Rehabilitation

Prior Legislation: AB 790 (Stone), Ch. 348, Stats. 2017
AB 2308 (Stone), Ch. 607, Stats. 2014

Support: California Attorneys for Criminal Justice; California Catholic Conference

Opposition: None known

PURPOSE

The purpose of this bill is to change the eligibility criteria for a state prison inmate to be issued a state identification (ID) card upon release.

Existing law requires the Department of Corrections and Rehabilitation (CDCR) and the Department of Motor Vehicles (DMV) to ensure that all eligible inmates released from state prisons have valid ID cards. (Pen. Code, § 3007.05, subd. (a).)

Existing law defines “eligible inmate” to mean an inmate who meets all of the following requirements:

- The inmate has previously held a California driver’s license or ID card.
- The inmate has a usable photo on file with the DMV that is not more than 10 years old.
- The inmate has no outstanding fees due for a prior California ID card.
- The inmate has provided, and the 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.
 - The inmate’s legal presence in the U.S. (Pen. Code, § 3007.05, subd. (b).)

Existing law establishes a \$26 fee for the application of an ID card, except as specified. (Veh. Code, § 14902, subd. (a).)

Existing law establishes an \$8 fee for a replacement ID card issued to an eligible inmate upon release from a state or federal correctional facility or a county jail facility. (Veh. Code, § 14902, subd. (g).)

Existing law defines “eligible inmate” to mean an inmate who meets all of the following requirements:

- The inmate previously held a California driver’s license or ID card.
- The inmate has a usable photo on file with the DMV that is not more than 10 years old.
- The inmate has no outstanding fees due for a prior California ID card.
- The inmate has provided, and the DMV has verified, his or her true full name, date of birth, social security number, and legal presence in the U.S.
- 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 DMV, upon application, a verification of his or her eligibility that meets all of the following requirements:
 - Be on state or federal correctional facility letterhead or county sheriff letterhead.
 - Be typed or computer generated.
 - Contain the inmate’s name.
 - Contain the inmate’s date of birth.
 - Contain the original signature of an official from the state or federal correctional facility or county sheriff’s office.
 - Be dated within 90 days of the date of application. (Veh. Code, § 14902, subd. (g).)

This bill defines “eligible inmate” to mean an inmate who is applying for an original or replacement ID card and meets all of the following requirements:

- The inmate has previously held a California driver’s license or ID card.
- The inmate has a usable photo on file with the DMV. Requires a new photo of the inmate to be taken if the photo is deemed unusable.
- The inmate has no outstanding fees due for a prior California ID card.
- The inmate has provided, and the 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.
 - The inmate’s legal presence in the U.S.
 - California residency.

This bill defines “eligible inmate” to mean an inmate who is applying for an original or replacement ID card who meets all of the following requirements:

- The inmate has not previously held a California driver’s license or ID card.
- The inmate has signed and verified their application for an ID card under the penalty of perjury.
- The inmate has a usable photo taken.
- The inmate has provided a legible print of their thumb or finger.

- The inmate has provided acceptable proof of the inmate's true full name, date of birth, social security number, legal presence in the U.S., and California residency, and that information is subject to verification by the DMV.

This bill provides that the fee for an original or replacement ID card issued to an eligible inmate upon release from a state correctional facility is \$8. Provides that "eligible inmate" has the same meaning as that term is defined in Penal Code section 3007.05, and meets both of the following requirements:

- The inmate currently resides in a facility housing inmates under the control of CDCR.
- The inmate has provided the DMV, upon application, with a verification of eligibility that meets the requirements described under existing law.

This bill makes other technical and conforming changes.

COMMENTS

1. Need for This Bill

According to the author:

Nearly every individual released from prison encounters extreme barriers to successful reentry, but without any valid form of identification, the barriers only increase. An ID is almost always required to apply for jobs, seek medical care, receive housing assistance, or open a bank account. SB 629 expands the California Identification Card (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.

Between July 2019 and June 2020, CDCR submitted 16,654 applications to the DMV for individuals that were both interested and eligible to receive a CAL-ID, and the DMV approved and issued over 13,500. 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. However, under existing law, incarcerated individuals housed in a CDCR institution that do not have a usable photo on file within the last 10 years with the DMV are automatically ineligible to participate in the CAL-ID program. During this same period, there were 4,120 individuals that were released from state prison without a valid ID because current law automatically made them ineligible for the CAL-ID program for not having a usable photo on file with the DMV that was taken within the last 10 years. Many of these individuals were elderly or served lengthy sentences, which presented even greater challenges when navigating the already complex network of social services and, otherwise, easily accessible resources. As we continue to release inmates from our state prisons, too many of them are left stranded from these essential benefits.

SB 629 addresses this discrepancy by eliminating the requirement that an inmate seeking a valid CAL-ID must have a useable photo on file with the DMV that is no more than 10 years old, allowing a new photo to be taken before an inmate is set to be released, and extending the reduced fee of \$8 for inmates to also include original identification cards. These simple changes will have a substantial impact on increasing inmate participation in the CAL-ID program and improving access to fundamental services paramount to successful community reintegration.

2. CAL-ID Program

As originally implemented, CDCR's CAL-ID program provided a valid California ID card to eligible inmates upon their release from prison, and the program was located at 13 prisons designated as Reentry Hub institutions. AB 2308 (Stone, Chapter 607, Statutes of 2014) expanded the CAL-ID program, requiring CDCR and DMV to ensure that all eligible inmates released from state prison have a valid ID card. Under current law, an incarcerated individual must be within 13 months of release and meet the following criteria in order to be eligible to apply for a state ID:

- The inmate has previously held a California driver's license or ID card.
- The inmate has a usable photo on file with the DMV that is not more than 10 years old.
- The inmate has no outstanding fees due for a prior California ID card.
- The inmate has provided, and the 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.
 - The inmate's legal presence in the U.S. (Pen. Code, § 3007.05, subd. (b).)

Additionally, eligibility is limited to inmates who do not have an active felony hold, warrant, or detainer that may result in an additional period of incarceration following their release date. Similarly, eligibility is limited to inmates who do not have an active Immigration and Customs Enforcement hold which would result in deportation.

This bill changes the eligibility criteria by redefining who qualifies as an "eligible inmate." Specifically, in the case of an individual who has previously held a California driver's license or ID card, an "eligible inmate" is one that has a usable photo on file with the DMV, has no outstanding fees due for a prior California ID card, and has provided their full name, date of birth, social security number, legal presence in the U.S., and California residency to the DMV. The bill requires that a new photo of the inmate be taken if the photo on file is deemed unusable. In the case of an individual who has not previously held a California driver's license or ID card, the bill defines "eligible inmate" to mean a person that has signed and verified their application for an ID card under penalty of perjury, has a usable photo taken, has provided a legible print of their thumb or finger, and has provided acceptable proof of the inmate's true full name, date of birth, social security number, legal presence in the U.S., and California residency. This bill applies to individuals applying for an original or a replacement ID card. Finally, the bill establishes an \$8 fee for the application of an original or replacement ID card by an eligible inmate.