

# HOUSE BILL REPORT

## HB 1679

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### As Reported by House Committee On:

Public Safety  
Appropriations

**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:** Representatives Goodman, Klippert, Pettigrew, Chapman, Hayes, Muri, Hudgins and Robinson; by request of Department of Corrections.

### Brief History:

#### Committee Activity:

Public Safety: 2/6/17, 2/9/17 [DP], 1/9/18, 1/11/18 [DP2S];

Appropriations: 2/20/17, 2/24/17 [DPS], 2/1/18, 2/6/18 [DP3S(w/o sub PS)].

#### Brief Summary of Third Substitute 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.

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### HOUSE COMMITTEE ON PUBLIC SAFETY

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 6 members: Representatives Goodman, Chair; Pellicciotti, Vice Chair; Appleton, Chapman, Orwall and Pettigrew.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Griffey, Holy and Van Werven.

**Staff:** Kelly Leonard (786-7147).

### Background:

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*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.*

### Identicators.

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

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

### Issuance of Identicators to Released Offenders.

The DOL and the Department of Corrections (DOC) have a memorandum of understanding to issue identicators to offenders released from correctional facilities. Before an offender is released, the DOC provides the DOL with the offender's identifying information. Once released, an offender may present his or her 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 identicator.

In 2016 the Governor issued Executive Order 16-05 "Building Safe and Strong Communities Through Successful Reentry" requiring the 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 identicator program within the Monroe Correctional Complex (MCC). The program provided offenders with a state-issued identicator, 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 the DOL was not permitted to charge any fee to an offender.

Offenders were eligible for an identicator provided they:

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

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### **Summary of Second Substitute Bill:**

Subject to an appropriation, the DOC, working in conjunction with the DOL, must create and implement a program to provide a state-issued identicator to certain offenders released within Washington. The DOC and the 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 identicator provided he or she:

- meets certain DOL criteria for obtaining an identicator;
- is sentenced to DOC custody, and is incarcerated within a correctional facility with an earned release date that is more than one year from his or her admission date;

- is expected to be released to a location within Washington, and is not expected to be transported or otherwise detained in a federal correctional or detention facility or a correctional or detention facility in another state; and
- does not have a current and valid state-issued identicard.

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.

The DOL may charge the DOC an \$18 fee for each identicard issued under this program.

### **Second Substitute Bill Compared to Original Bill:**

The second substitute bill makes the program subject to an appropriation. The second substitute bill modifies the eligibility criteria for obtaining an identicard through the program, including:

- removing the requirement that the offender has not been subject to a deportation detainer or order and does not become subject to a deportation order during his or her period of incarceration;
- adding the requirement that the offender must not be expected to be transported or otherwise detained in a federal correctional or detention facility or a correctional or detention facility in another state; and
- adding the requirement that the offender must not already have a current and valid state issued identicard.

The second substitute bill removes language authorizing the DOC to seek reimbursement for the cost of an identicard through deductions from an offender's mandatory savings account or through other funds that have been received on an offender's behalf for the purpose of the identicard.

A delayed effective date of January 1, 2019, is added.

Technical corrections are made, including updating session laws for the current biennium.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 4, 2018.

**Effective Date of Second Substitute Bill:** The bill takes effect on January 1, 2019.

### **Staff Summary of Public Testimony:**

(In support) This legislation is an important step in improving public safety by providing releasing individuals with a current photo identification, and it directly supports efforts by the

DOC to reduce recidivism and increase post-release employment. Obtaining a valid identification card is one of the cornerstones of successful reentry. Identification is needed to access housing, treatment, services, and employment. This program will allow the DOC to serve over 3,000 offenders releasing from state facilities every year, beginning in 2019. The \$18 cost is prorated based on the current fees for obtaining state identicards.

(Opposed) None.

**Persons Testifying:** Representative Goodman, prime sponsor; and Danielle Armbruster, Department of Corrections.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The third substitute bill be substituted therefor and the third substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by 20 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist, Buys, Cody, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Stanford, Sullivan and Tharinger.

**Minority Report:** Do not pass. Signed by 12 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Caldier, Condotta, Graves, Manweller, Schmick, Taylor, Vick, Volz and Wilcox.

**Staff:** Rachelle Harris (786-7137).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Public Safety:**

Subject to an appropriation, the Department of Corrections (DOC), working in conjunction with the Department of Licensing (DOL), must create and implement a program to provide a state-issued identicard to certain offenders released within Washington. The DOC and the 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 he or she:

- meets certain DOL criteria for obtaining an identicard;
- is sentenced to DOC custody and is incarcerated within a correctional facility with an earned release date that is more than one year from his or her admission date;
- is expected to be released to a location within Washington and is not expected to be transported or otherwise detained in a federal correctional or detention facility or a correctional or detention facility in another state; and
- does not have a current and valid state-issued identicard.

An identicard issued under this program expires two years from the first anniversary of the offender's birthdate after issuance.

The DOL may charge the DOC an \$18 fee for each identicard issued under this program.

The third substitute bill retains all elements of the underlying bill but removes the provision in the second substitute bill that specified that a DOC identification card may serve as sufficient proof of identity and residency for an applicant seeking an identicard under the program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Third Substitute Bill:** The bill takes effect on January 1, 2019.

**Staff Summary of Public Testimony:**

(In support) This is an important step in improving public safety and reducing recidivism by providing releasing offenders with an identification (ID) card. These efforts will directly help with our work to reduce recidivism and increase employment opportunities. Having an ID removes a significant barrier to successful reentry for offenders. Identification cards (IDs) are needed for housing, treatment services, and employment. The bill allows a 2-year card to be issued at a prorated cost of \$18. The program is based off of a pilot the DOC ran at Monroe Correctional Complex. The DOC estimates that it will provide IDs for about 1,700 offenders in the first year and about 3,400 offenders per year after that.

(Opposed) None.

**Persons Testifying:** Alex MacBain, Department of Corrections.

**Persons Signed In To Testify But Not Testifying:** None.