

RESOLUTION NO. 20141211-225

WHEREAS, on August 7, 2014 the Austin City Council passed Resolution 20140807-102, which directed the City Manager to convene a community stakeholder group to assist in reviewing community needs and current opportunities regarding municipally issued identification and report back to Council by December 1, 2014 with a proposal for a City of Austin Identification Card in calendar year 2015; and

WHEREAS, on December 4, 2014 the City Manager issued a memorandum in response to this resolution, which made the recommendation to:

- Require the appointment of a Program Administrator and creation of a Task Force with representation from the City Attorney, Public Safety, affected departments, and relevant commissions to conduct a detailed feasibility study
- Address concerns identified during the stakeholder process
- Design the rules and processes of the program
- Design the exact features and uses of the cards, and
- Develop a date-specific implementation plan; **NOW THEREFORE,**

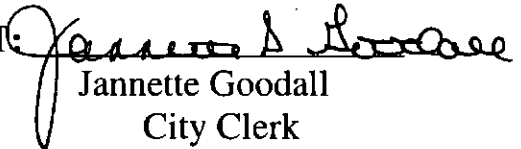
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to appoint a program administrator and create a task force to implement the city staff recommendation to conduct a detailed feasibility study of a municipally issued identification card that incorporates stakeholder feedback, designs program rules and processes as well as exact

features, estimates start-up and annual maintenance costs, and to return to council with a date-specific implementation plan within 180 days.

ADOPTED: December 11, 2014

ATTEST:


Jannette Goodall
City Clerk

RESOLUTION NO. 20140807-102

WHEREAS, City of Austin has an interest in improving the quality of life for all of its residents; and

WHEREAS, the City of Austin has a diverse and international population that is approximately 19.3% foreign-born, constituting over 150,000 individuals; and

WHEREAS, the Austin Commission on Immigrant Affairs passed a recommendation, subsequently adopted by City Council on March 20, 2014, to take efforts to become a "Welcoming Community" by engaging all relevant sectors, such as government, business, and non-profit, to work together to create a welcoming community climate that supports long-term integration of immigrant communities and a commitment to institutionalizing strategies that ensure the ongoing inclusion and long-term economic and social integration of newcomers; and

WHEREAS, the threat of deportation without criminal offense undermines the willingness of the immigrant community to share information with law enforcement that is crucial to public safety and their own personal safety; and

WHEREAS, the lack of a government-issued identification can be a deterrence to reporting crimes of public or personal safety, and a logistical barrier to housing, healthcare, education and banking; and



WHEREAS, a 2012 report by the Federal Deposit Insurance Corporation listed approximately 62,000 households or 10.2% of the Austin-Round Rock Metropolitan Statistical Area as un-banked, a status that may make them vulnerable to potentially predatory lending at alternative financial service firms; and

WHEREAS, the failure of the U.S. Congress to pass comprehensive immigration reform but passage of the 2005 Real ID Act, which requires all state issued drivers licenses to meet certain standards, including proof of immigration status, before they can be accepted for federal purposes, prompted the City of New Haven, Connecticut to implement the nation's first municipally issued identification card in 2007; and

WHEREAS, the City of New Haven noted that many immigrants were unable to open bank accounts, which made them frequently profiled by thieves with the expectation that they would be carrying cash and not report crimes due to their undocumented status; and

WHEREAS, New Haven's "Elm City Resident's Card" has been followed by similar programs in Los Angeles, San Francisco, Oakland, Richmond, California, and Washington, D.C.; and

WHEREAS, many cities have recognized the opportunity of having a broadly adopted and multifunctional card that consolidates other issuances such as library cards and bus passes or have included benefits such as resident-rates at city facilities or local-affinity discounts at participating businesses; and

WHEREAS, the City of Oakland, California launched a municipal identification card in June 2009 that incorporates an optional limited debit card functionality that has proven popular, has helped defray costs of administration, and has made records better protected under the banking privacy act of 1978; and

WHEREAS, municipally issued identification has also been used to address issues with other vulnerable communities, including housing and employment access for the homeless who may have difficulty obtaining or retaining other government-issued forms of identification; and

WHEREAS, the National Transgender Law Center and other LGBT advocacy organizations have supported municipal-issued identification as a means of providing government-issued identification without gender classifications; and

WHEREAS, a broadly adopted and accepted identification card fosters greater connectivity to important urban institutions, provides access to vital locations where photo identification is required, and creates a sense of unity within a city; **NOW, THEREFORE,**

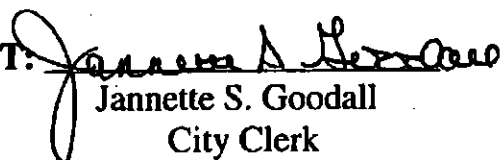
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to convene a community stakeholder group to assist in reviewing community needs and current opportunities regarding municipally issued identification. With assistance from the community stakeholder group, the City Manager will review the following topics:

- Case studies from peer cities;
- Applicable state and federal law as well as current identification practices;
- Community needs with the Commission on Immigrant Affairs, Human Rights Commission, Community Development Commission and other relevant organizations;
- The identification needs of public safety departments and solicit feedback from the Public Safety Commission on ways to improve the interaction with local authorities for those without state-issued identification;
- The practices of the local banking, housing, and insurance community regarding identification needs for the un-banked;
- The issuance of user cards, requests for identification or request for residency by city departments or partnered organizations (such as Cap Metro, Austin B-Cycle, ChargePoint, etc...) for potential system integration and cost-savings;
- Available options for third party vendors regarding optional integrated debit card services; and
- Options regarding an application process and document retention that ensure the privacy of applicants and maximum adoption and renewal of City issued identification cards.

The City Manager shall report back to the City Council by December 1, 2014 with a proposal for a City of Austin issued identification card in calendar year 2015.

ADOPTED: August 7, 2014

ATTEST: 
Jannette S. Goodall
City Clerk



Austin/Travis County Health & Human Services Department



OFFICE OF THE DIRECTOR

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MEMORANDUM

TO: Mayor and City Council

FROM: Carlos Rivera, Director, Health and Human Services Department (HHSD)



DATE: December 4, 2014

SUBJECT: Resolution #20140807-102

On August 7, 2014, Council approved Resolution #20140807-102, which directed the City Manager to "convene a community stakeholder group to assist in reviewing community needs and current opportunities regarding municipally issued identification, and report back to City Council by December 1, 2014 with a proposal for a City of Austin issued identification card in calendar year 2015."

Stakeholder Review of Needs and Peer Cities

HHSD staff conducted meetings with key community stakeholders such as the Immigrant Services Network of Austin, Commission on Immigrant Affairs, Human Rights Commission, Out Youth, Texas Civil Rights Project, and Greater Asian Chamber of Commerce. It is the consensus of the groups that many Austin residents can benefit from a municipally issued identification card, especially "vulnerable populations" such as undocumented immigrants, transgendered individuals, homeless individuals, youth in the foster system, and formerly incarcerated populations. All of these groups face obstacles to acquiring the documentation necessary to access basic services.

The Matrícula Consular Card is an identification card issued by the Government of Mexico to Mexican citizens living outside of the Mexico. The card is issued by consulate offices. It includes an identification number, a photograph and address outside of Mexico of the citizen to whom it is issued.

Although the Matricula Consular card is a viable alternative for Mexican Immigrants, Austin has become home to several other foreign nationals. Additionally, Consular cards do not address the needs of the other vulnerable populations unable to produce traditionally accepted forms of identification.

During the community stakeholder process, the following considerations were discussed as priorities:



1. ***Protection of privacy and fraud/information theft prevention.*** The City must be able to implement methods to protect the security and privacy of individuals' personal information.
2. ***Records access/retention.*** Applicant information must be housed within electronic systems and physical locations secure from Federal Immigration and Customs Enforcement access.
3. ***Municipal and law enforcement recognition.*** Ideally, a municipally-issued identification card would be recognized by all City officials and departments, e.g., Austin Public Library for library cardholder services and Austin Parks and Recreation Department for access to resident discount programs. Additionally, the card would preferably be acceptable identification for relevant jurisdictions of local law enforcement agencies (Austin Police Department, Travis County Sheriff, Williamson County Sheriff, and University of Texas Police).
4. ***Fees associated with debit card functions.*** In peer cities where municipal identification cards were also used as debit cards, residents are charged monthly service fees as well as point of sale fees for every transaction and fees for customer service calls. Cumulatively, these fees have a disproportionately negative impact on low-income individuals and families.
5. ***Special considerations for transgendered individuals.*** In order to meet needs of the transgender community, individuals should be permitted to use their preferred name on the front of the card and legal name on the back of the card, as the University of Texas allows on its official identification.
6. ***Limitations.*** A municipal identification card would not meet identification standards required by the Texas Department of State Health Services Vital Statistics Unit and could not be used to obtain documents issued by the City's Office of Vital Records. It is unknown whether the Texas Department of Public Safety and other law enforcement jurisdictions would accept the card as bona fide identification.

The stakeholder discussion process helped identify features that would make the card attractive to all residents and help reduce the "immigrant stigma" associated with municipal identification programs:

- A. Potential expansion of card uses beyond City services: B-cycle, Car2Go, Cap Metro
- B. Medical Identification: e.g., blood type, medical conditions, allergies, emergency contact
- C. Discounts with business partners, similar to the "Go Local" card
- D. Branding of the card for inclusivity purposes, such as using the "I am Austin" slogan to build on pride associated with being an Austinite
- E. An outreach and enrollment campaign that targets all groups, not just the immigrant population
- F. Lengthy card validity period (or non-expiration)

Recommendations

Some peer municipalities opted to fund and administer a program internally, while others used external vendors. Startup costs ranged up to \$800,000 in San Francisco, with yearly operating costs averaging \$150,000 to \$200,000.

After a careful review of feedback gathered from stakeholder process and research from peer cities, Staff supports the Commission on Immigrant Affairs' recommendation to model the Austin identification program after a program implemented by Oakland. The Oakland identification card has an optional debit feature and is accepted by many local authorities as a valid form of identification. Residents use the cards in interactions with local police as well as at libraries, health clinics, and other local businesses. In Oakland, services are contracted out to a third-party vendor and the Program Administrator is housed in the City Clerk's Office.

Dependent upon the applicant's preferences and available documentation, cards would be a combination of proof of identity, proof of residence, and or debit card.

Cards would bear the cardholder's photograph, date of birth, legal name, address, height, weight, and hair and eye color. Cards could include a unique card number and the cardholder's signature. Transgendered individuals who conduct their business under a preferred name could choose to include their legal name on the back of the card. The card could incorporate tamper-proof/fraud reduction technologies considered current best practices.

Cards with the debit feature would use the MasterCard or Visa network and include the account information required by the financial institution providing the account behind the debit feature. (ATM/debit cards have a unique card number different than the actual account number associated with the card.)

Residents wishing to use the card solely for identification purposes could rely on any of the following identification, which could be current or expired:

- National ID card issued by a foreign government
- Foreign passport
- Foreign driver's license
- Foreign military ID
- Consular ID

To prove residency, applicants could present one of the following, dated within the previous 30 days:

- Utility bill
- Local property tax statement
- Mortgage payment statement
- Bank account statement
- Employment stub
- Jury summons notice
- Proof of a minor currently enrolled in local school
- Written verification from a shelter or social service agency of at least 15 days of residency

Residents applying for a card with the banking function would have to provide documentation consistent with the backing financial institution's requirements.

Staff recommends the following:

- Require the appointment of a Program Administrator and creation of a Task Force with representation from the City Attorney, Public Safety, affected departments, and relevant commissions to conduct a detailed feasibility study;
- Address concerns identified during the stakeholder process;
- Design the rules and processes of the program;
- Design the exact features and uses of the cards; and
- Develop a date-specific implementation plan

If you have additional questions, please contact me at (512) 972-5010, or by email at Carlos.Rivera@austintexas.gov.

cc: Marc A. Ott, City Manager
Bert Lumbreras, Assistant City Manager