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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