An Iowa City Community Identification Card
A Report for the City of Iowa City on the Feasibility of Implementing a
Community Identification Card Program

Eren Fleck
&
Jordan Moody
I. ABOUT THIS REPORT

This report was commissioned by Iowa City staff currently tasked with investigating whether a community identification card program is feasible in Iowa City. On December 18, 2012, the Iowa City Human Rights Commission recommended that the City implement a community identification card program with the goal of protecting the safety of undocumented persons in Iowa City. In response to this recommendation, the City resolved to investigate this proposal. Students in the University of Iowa College of Law Advanced Immigration Law and Policy seminar, working under the supervision of Professor Stella Burch Elias, prepared this report to assist the City staff in their research and deliberations. Law students Eren Fleck and Jordan Moody are the lead authors of this report. Fellow law students in the Advanced Immigration Law and Policy seminar, Sam Aden, Andrew Giller, Seth Goertz, Julie Mehta, Steven Postolka, Kate Ono Rahel, Justin Shilhanek, and Dean Treftz also contributed to this report.

II. ACKNOWLEDGEMENTS

To ascertain the demand in Iowa City for a community identification card and the needs of the community, the authors worked with community groups to survey residents of Iowa City. The authors initially met with representatives from the Center for Worker Justice, the Iowa City Human Rights Commission, and the Consultation of Religious Communities to gauge community demand and hone in on what benefits community members would want a community identification card to provide. Then members from the Center for Worker Justice provided invaluable assistance in surveying 233 local residents to gauge demand and prioritize the benefits community members hope a CID might provide. In addition, the authors met with Frederick Newell of the Dream Center and Linda Kopping of the Senior Center who provided thoughtful input on how a community identification card would impact members of their organizations.

To compile examples of other community identification card programs in the United States, the authors interviewed representatives from other cities or organizations that currently run a community identification card program. The authors spoke with Ms. Ana Nieves Winn from New Haven, Connecticut; Ms. Jennifer Hong from San Francisco, California; Ms. Maria Juega from the Latin American Legal Defense and Education Fund of Trenton, New Jersey; Ms. LaShonda Wilson from Richmond, California; Mr. Arturo Sanchez from Oakland, California; and Professor Paula Cruz Takash of SF Global, a for-profit supplier of community identification cards.
Table of Contents

I. ABOUT THIS REPORT .......................................................................................................................... ii

II. ACKNOWLEDGEMENTS .................................................................................................................. ii

III. INTRODUCTION – WHAT IS A COMMUNITY IDENTIFICATION CARD? ........................................ 1

IV. EXECUTIVE SUMMARY ................................................................................................................... 3

V. DEMAND FOR A COMMUNITY IDENTIFICATION CARD IN IOWA CITY ........................................ 6

VI. BENEFITS OF A COMMUNITY IDENTIFICATION CARD PROGRAM IN IOWA CITY ...................... 8
   A. Benefits Beyond Iowa Non-operator’s Identification Card .......................................................... 9
   B. A Community Identification Card Will Provide Benefits to Residents Beyond the City’s Current Policy to Recognize All Governments’ Photo Identification Documents ........................................... 11
   C. Survey Ranking of Benefits and Services Provided by a Community Identification Card in Iowa City ........................................................................................................................................... 12
   D. Potential for a Community Identification to Create Barriers to Accessing Community Services ........................................................................................................................................ 13

VII. EXAMPLES OF OTHER COMMUNITY IDENTIFICATION CARD PROGRAMS IN THE UNITED STATES ... 14
   A. City-issued Community Identification Card Programs ............................................................... 15
      i. New Haven, Connecticut ........................................................................................................... 16
      ii. San Francisco, California ........................................................................................................ 18
   B. Non-profit-issued Community Identification Cards Recognized by Local Government ... 21
      i. Mercer County, New Jersey ..................................................................................................... 22
   C. For-profit-issued Community Identification Cards Recognized by Local Government .... 24
      i. Oakland, California .................................................................................................................. 24
      ii. Richmond, California ............................................................................................................. 27

VIII. LEGAL ISSUES AND ANALYSIS .................................................................................................. 28
   A. Community Identification Cards Are Permitted Under Federal Law ........................................ 28
      i. Community identification cards are not preempted by federal law ........................................ 28
      ii. The REAL ID Act does not prohibit the City from issuing a community identification card.................................................................................................................................................. 29
   B. Community Identification Cards are Permitted Under Iowa Law ........................................... 30
      i. Community identification cards are not expressly preempted by state law ........................ 32
      ii. Community identification cards are not impliedly preempted by Iowa law ...................... 35
Community identification cards are not field preempted by Iowa law .......................... 38
C. Safeguarding City Residents’ Private Information Under Federal Laws ................................. 38
   i. The City need not maintain immigration information .................................................. 40
   ii. The 278(g) Program does not give the federal government access to community identification card applicant information ................................................................. 40
   iii. Secure Communities does not give the federal government access to community identification card applicant information .................................................................................. 41
E. Safeguarding City Residents’ Private Information Under Iowa Open Records Laws .......... 41
   i. City-issued community identification card .................................................................. 42
   ii. City-recognized community identification card ............................................................ 44
D. Local Law Enforcement Use of Community Identification Cards ........................................ 45
IX. Recommendations .................................................................................................................. 48
   A. If the City Wishes to Maximize the Services and Benefits Provided by a Community Identification Card Then the City Itself Should Issue the Card ........................................................ 48
   B. If the City Wishes to Prioritize All Residents Have Access to a Community Identification Card Then it Should Recognize a Non-Profit Issued Card ....................................................... 49
   C. If the City Wishes to Minimize Expenditures Then it Should Recognize a Non-Profit- or For-Profit-Issued Card ....................................................................................................... 50
   D. If the City Wishes to Maximize the Security of Cardholders’ Information Then it May Chose to Recognize a Community Identification Card from a Non-Profit or For-Profit Provider .................................................................................................................. 50
Appendix A: New Haven Questionnaire and Responses ............................................................ 52
Appendix B: San Francisco Questionnaire and Responses ....................................................... 56
Appendix C: Mercer County, New Jersey Questionnaire and Responses ............................... 59
Appendix D: Richmond Questionnaire and Responses ............................................................ 66
Appendix E: Oakland Questionnaire and Responses ............................................................... 71
Appendix F: SF Global Memorandum ....................................................................................... 74
Appendix G: Example of Community Identification Card Survey ........................................... 76
Appendix H: Results from Community Identification Card Survey .......................................... 78
Appendix I: Memorandum of Interview with Frederick Newell .............................................. 82
Appendix J: Memorandum of Interview with Linda Kopping .................................................... 84
III. INTRODUCTION – WHAT IS A COMMUNITY IDENTIFICATION CARD?

A valid form of identification is a crucial part of daily life. When an individual needs to open a bank account, cash a check, travel on an airplane, sign a lease, obtain a job, obtain certain behind the counter medicines, obtain a library card, create a utility account, or interact with police she often must present valid identification—typically a valid passport, driver’s license, or non-operator’s identification card.

However, a significant number of individuals may lack a valid form identification. An individual may lack valid identification because she does not have valid immigration status, is young or old, is poor, is homeless, has suffered loss because of natural disaster, is transgender, or has escaped a domestic violence situation. As a result of any of these life circumstances, individuals without valid identification cannot access crucial services both in the private and public sector.

Cities have the ability to issue or recognize a community identification card to help individuals who lack valid identification. A community identification card (CID) is somewhat like a state-issued identification card but on a much smaller scale. However, unlike a state-issued identification card, an applicant for a CID does not necessarily need to demonstrate valid immigration status or produce difficult-to-obtain documents. Therefore, the primary benefit of a CID is that it is a more accessible form of identification.

Currently, cities such as New Haven, Connecticut; Trenton, New Jersey; Oakland, California; and San Francisco, California, have successful CID programs and Richmond, California, is in the process of implementing its program. All of these CID programs aim to address the unmet needs of immigrant communities by helping immigrants obtain photo identification that can be used to access city services, access financial institutions, and obtain the assistance of police.


4 See infra Part III.

5 See infra Part IV.

6 See infra Part IV.

7 JUNTA FOR PROGRESSIVE ACTION, INC. & UNIDAD LATINA EN ACCIÓN, A CITY TO MODEL: SIX PROPOSALS FOR PROTECTING PUBLIC SAFETY AND IMPROVING RELATIONSHIPS BETWEEN IMMIGRANT COMMUNITIES AND THE CITY OF NEW HAVEN (2005) available at
However, in addition to helping immigrant communities, CIDs can provide services to the community at-large. For example, in Oakland, California, the CID serves as a bank card and can work as a debit card to pay for parking. In San Francisco, California, the CID functions as a library card and the city has contracted with financial institutions to ensure the CID is accepted for banking purposes. Therefore, a CID can be an important tool for a wide range of community members to access both civic and private sector services.


8 See infra Part V.
IV. EXECUTIVE SUMMARY

New Haven, Connecticut, has the longest running community identification card (CID) program in the United States and the program has proven to be a success and has provided numerous benefits to residents and the city itself. Most notably, there has been an increase in crime reporting and a decrease in crime in the city.\textsuperscript{9} Cardholders have been able to secure numerous benefits including: a creation of a sense of community belonging for all residents regardless of immigration status, access to financial services at a local bank particularly for immigrants without documentation who had been targeted as “walking ATMs,” supported the local economy, more easily access police of help and to report a crime, access city services, and assist recently released prisoners re-integrate into the community.\textsuperscript{10} Other cities have since followed New Haven’s example and have implemented CID programs by a variety of methods, all with positive results in the community.

City of Iowa City staff now seeks to learn more about whether a program similar to New Haven’s could be implemented locally. In this Report, we seek to answer the City’s questions regarding the feasibility of implementing a CID program. In particular, the City asked us to try to: (i) quantify the demand for a CID in Iowa City, (ii) examine the benefits a CID might provide to residents above and beyond other programs currently available, (iii) provide an account of other cities’ CID programs to inform the City about the practical implementation of such a program, (iv) evaluate whether state or federal laws implicated by a CID prevent the City from acting, (v) examine whether state or federal laws would allow third-parties to access to cardholder information held by the City, and (vi) analyze whether a CID could be used by Iowa City Police in the course of their duties. We have investigated each of these areas of concern and have included our answers in this Report along with several recommendations for the City.

More specifically, in Part V of this Report, we explore whether there is a demand for a CID program in Iowa City. To gauge this demand, we first attempt to quantify the undocumented immigrant population in Iowa City as this demographic is expected to have a high need for a CID program. We were unable (for self-evident reasons) to determine the exact number of undocumented immigrants in Iowa City but were able to determine that in 2010 approximately 7,000 residents of Iowa City are foreign-born. To further explore the demand in Iowa City, we distributed 233 surveys to local community members\textsuperscript{11} and found that ninety percent of survey respondents indicated they would use a CID in Iowa City if given the opportunity.

\textsuperscript{9} See infra Part VII.A.i.

\textsuperscript{10} See infra Part VII.A.i.

\textsuperscript{11} Because the survey was conducted anonymously, we are unable to quantify exactly how many of the respondents are resident within Iowa City or elsewhere in Johnson County, but our understanding is that the majority of respondents live within the City’s boundaries.
In Part VI of this Report, we discuss the benefits a CID program in Iowa City might provide. We first conclude in Part VI.A that a CID could provide benefits to Iowa City residents beyond those currently provided by the Iowa Department of Transportation non-operators’ identification cards because a CID could be a more accessible form of identification for undocumented immigrants and other vulnerable populations including the homeless. We then conclude in Part VI.B that a CID program will provide benefits to residents beyond the City’s current policy to recognize other governments’ identity documents because there appear to be many individuals in Iowa City who either do not have government identity documents to present or who are extremely reluctant to produce foreign identity documents for fear of encountering discrimination or questions about their immigration status. We then discuss in Part VI.C how survey respondents ranked the benefits a CID could provide. Finally, we note in Part VI.D that a CID program in Iowa City, in addition to offering many benefits also has the potential to create barriers to accessing community services if the card becomes a requirement.

In Part VII of this Report, we provide examples of other CID programs in the United States. We discuss the programs in New Haven, Connecticut; San Francisco, California; Mercer County, New Jersey; Oakland, California; and Richmond, California. We found that New Haven and San Francisco had similar program models in that the city governments of each city directly issue the card to residents. The program in Mercer County is unique because a coalition of non-profits and government representatives came together to create the CID program and the community groups issue the CID while local governments recognize it as a valid form of identification. The programs in Oakland and Richmond are similar to each other and each city works with the same for-profit provider. Each city licenses out its name and then the for-profit provider manages and creates the card. For each city, we include information about start-up costs, basic procedures used to issue the card, benefits offered, and community responses.

In Part VIII of this Report, we discuss some of the legal issues involved if the City chooses to issue or recognize a CID. In Part VIII.A we conclude that a CID program is permitted under federal law. To reach this conclusion we examine federal preemption law and the REAL ID Act. In Part VIII.B we conclude that a CID program is permitted under Iowa law. To reach this conclusion we examine current state statutory and common law governing state express and implied preemption of local power. In Part VIII.C of this Report, we conclude that if the City chooses to administer a CID program directly, it may be able to protect the cardholder information that it keeps on file from public records requests under state and federal law. We advise, however, that if the City chooses to directly issue a CID to the community that it keeps only limited information on file and does not ask for any immigration-related information from applicants, to further protect the identity of the applicants. Finally, in Part VIII.D we briefly discuss whether the Iowa City Police Department could use a CID as part of the process of obtaining a search or arrest warrant and what the implications might be for the City if a City-issued CID were fraudulently obtained and used.

Finally, Part IX provides for our recommendations it the City moves forward with either issuing or recognizing a CID. First, we recommend that the City further investigates the demand and needs of the community so that a CID program in Iowa City would respond to the unique
needs of Iowa City residents. After engaging in this fact finding, we recommend that (1) if the City wishes to maximize the services and benefits provided by a CID then the City itself should issue the card, (2) if the City wishes to prioritize the accessibility of the card to all residents then it should recognize a non-profit issued CID, which could potentially be launched in Iowa City and then expanded to other parts of Johnson County, (3) if the City wishes to minimize its expenditures on a CID program then it should recognize a non-profit issued or for-profit issued card, and (4) if the City wishes to maximize the security of cardholder information and to limit its potential legal liabilities then it may choose to recognize a non-profit-issued or for-profit-issued CID.
V. DEMAND FOR A COMMUNITY IDENTIFICATION CARD IN IOWA CITY

In this section, we attempt to quantify possible demand for a CID in Iowa City. To that, we have attempted to obtain a reliable estimate of the size of the immigrant population in Iowa City and gathered survey information from 233 local community members.\(^\text{12}\)

A CID would likely be helpful to immigrant populations in Iowa City and this demographic of the population would likely use a CID. For example, in Mercer County, New Jersey, immigrants have embraced using the CID and nine out of every ten cardholders are not U.S. citizens.\(^\text{13}\) Additionally, all programs surveyed for this Report indicated that each program started, in large part, to meet the needs of underserved immigrant communities.\(^\text{14}\)

Unfortunately, it is difficult to calculate how many immigrants in Iowa City need a CID. In 2010, the U.S. Census Bureau reported that ten percent of Iowa City’s population is foreign born—approximately 7,000 people.\(^\text{15}\) This calculation, however, does not indicate immigration status of the foreign born individuals counted or give an idea of the number of these who do not have adequate identity documentation.

Even so, the survey results suggest that demand for a CID in Iowa City could be significant. With the assistance of members of the Center for Worker Justice, the authors created a survey to gauge the community’s demand for a CID program in Iowa City. The survey was distributed in larger part to members of Saint Patrick’s Church, the Sudanese community, and the Latino community over the span of two weeks in October 2013. Although this survey is an incomplete sampling of the Iowa City community as a whole, it does indicate a strong demand in the Latino and Sudanese community for a CID. Ninety percent of survey respondents said that they would use a CID if given the option. Below is a chart showing the survey respondents demand for a CID in Iowa City.

\(^{12}\) As noted above, because the survey was conducted anonymously, we were unable to quantify exactly how many of the respondents were resident within Iowa City or elsewhere in Johnson County, but our understanding is that the majority of respondents lived within the City’s boundaries.

\(^{13}\) See infra Part VII.

\(^{14}\) See infra Part VII.

Additionally, depending on the services provided, the CID has the potential to be a civic staple in the community. For example, if community members can use a CID to access the library, pay bus fare, pay for parking, or access recreation facilities then demand will likely increase as the card will be more useful to a wider range of community residents.
VI. Benefits of a Community Identification Card Program in Iowa City

A valid form of identification is a crucial tool for accessing some of the most basic public and private sector services. For example, a valid form of identification may be required to secure employment, cash a check, open a bank account, rent a home or apartment, attend colleges or universities, travel on an airplane, obtain public benefits, gain access to government buildings, use public libraries, and use recreation facilities.\textsuperscript{16} In addition, all current CID programs surveyed for this Report recognized that adequate identity documentation is important to ensure public safety and crime reporting.\textsuperscript{17}

In a discussion with representatives of the Center for Worker Justice, the Iowa City Human Rights Commission, Immigrant Justice Center, and the Consultation of Religious Communities, the authors identified the following areas of concern for those without adequate identity documentation: interactions with Iowa City police including the ability to report crimes without fear of negative consequences for failure to have adequate identity documents, access to pharmacy services, access to medical services including emergency services, creation of a utility account, access to county jail facilities to visit friends and family, access to the home shelter, and access to public library and city recreation facilities.\textsuperscript{18}

As evidenced by the experience of other CID programs in the United States, a CID recognized on a city- or county-wide level cannot provide the same access to services that a state or federal identification document can.\textsuperscript{19} First and foremost, a CID only has authority as a recognized document within the boundaries of the city or county recognizing the CID.\textsuperscript{20} In addition, financial institutions will not automatically nor necessarily recognize a CID as a valid form of identification and government bodies issuing or recognizing a CID must take affirmative steps to ensure local financial institutions recognize the CID as valid.\textsuperscript{21} Finally, a CID will not function as a form of identification where federal law sets requirements—such as for entering a federal building or boarding an airplane under federal regulation. In addition, a CID does not take the place of other forms of documentation and does not grant a cardholder a license to drive or the right to vote.


\textsuperscript{17} See infra Part VII.

\textsuperscript{18} Authors meeting with Charlie Eastham, Diane Finnerty, Kelly O’Brien, Hillary Moise, Marcela Hurtado, Misty Rebik, Robin Clark-Bennett, on August 30, 2013.

\textsuperscript{19} See infra Part VII for a discussion of the successes and limitations of the CID programs in New Haven, Connecticut; San Francisco, California; Mercer County, New Jersey; Oakland, California; and Richmond, California.

\textsuperscript{20} See infra Part VII.

\textsuperscript{21} See infra Part VII.
In this section, we further explore the benefits a CID in Iowa City might provide the community. To that end, we discuss (1) the benefits a CID could provide beyond those provided by an Iowa non-operator’s identification card, (2) the benefits a CID could provide beyond the City’s current policy to recognize all governments’ photo identification documents, (3) the community survey rankings of the possible benefits a CID could provide, and (4) the possibility that a CID in Iowa City could actually create barriers in addition to benefits.

A. Benefits Beyond Iowa Non-operator’s Identification Card

An Iowa City-recognized or -issued CID would provide a service beyond that provided by an Iowa Department of Transportation (DOT) non-operator’s identification (ID) card. Currently, an applicant for a non-operator’s ID must present adequate documentation to prove date of birth, identity, lawful presence in the United States, social security number, and residency in Iowa.\(^2\) To prove lawful presence in the United States a citizen must provide proof of citizenship while a non-citizen must show current immigration status by presenting proof of lawful permanent resident status or other valid and current immigration status.\(^3\)

For an immigrant without current lawful status, there are two insurmountable barriers to obtaining an Iowa non-operator’s ID: proof of lawful status and proof of social security number. First, if an immigrant does not have current immigration status then she will not be able to provide proof of current immigration status. Second, to obtain a social security number, an applicant must be able to show lawful current immigration status.\(^4\) Therefore, both prerequisites to obtaining an Iowa non-operator’s ID are inaccessible to an individual without current lawful immigration status.

U.S. citizens may also have difficulty obtaining a non-operator’s ID for failure to have adequate identity documentation. For example, individuals who have lost key required documents due to hardships such as natural disaster may not be able to obtain a non-operator’s ID.\(^5\) Others may never have had appropriate documentation in the first place and will face difficulty obtaining an Iowa non-operator’s ID.\(^6\)

---

22 Iowa Dept. of Transp., Iowa DL and ID cards: Use this checklist before you apply for a driver’s license (DL) or identification (ID) card (2013), available at https://forms.iowadot.gov/FormsMgt/External/431053.pdf.

23 Id.


26 Id.
U.S. citizens may also be unable to provide adequate proof of citizenship to obtain a non-operator’s ID. In 2007, the Brennan Center for Justice found that approximately seven percent (7%) of U.S. citizens do not have access to documents to prove citizenship status. \(^\text{27}\) Women, individuals with low incomes, the elderly, and people of color fail to have adequate documentation of citizenship more frequently than others. \(^\text{28}\) In addition, the City of Richmond, California, in creating its CID program recognized that adult survivors of domestic violence, transgender individuals, children, students, and runaway youth also more often fail to have adequate documentation. \(^\text{29}\)

As the documentary requirements of a CID program approach the same level of requirements of something like a non-operator’s ID, the program’s ability to provide a valid form of identification to vulnerable populations is undercut. \(^\text{30}\) For example, in Mercer County, New Jersey, homeless individuals were initially not able to meet the program’s requirements to obtain a CID. \(^\text{31}\) In response to this difficulty, the program implemented a policy to honor affidavits from community and faith-based organizations to issue a CID to a community member. \(^\text{32}\) While San Francisco and New Haven require a more stringent level of documentation than Mercer County to issue a CID. \(^\text{33}\) In and Oakland, California the documentation requirements are restricted by federal banking laws (because the CID functions as a debit card) and more applicants encounter barriers to obtaining a CID because of these higher standards. \(^\text{34}\) Therefore, depending on the documentary requirements to obtain a CID in Iowa City, the card may be inaccessible to vulnerable populations.


\(^\text{28}\) Id.


\(^\text{31}\) See infra Appendix E.

\(^\text{32}\) See infra Appendix E.

\(^\text{33}\) See infra Part VII.A.

\(^\text{34}\) See infra Part VII.C.
B. A Community Identification Card Will Provide Benefits to Residents Beyond the City’s Current Policy to Recognize All Governments’ Photo Identification Documents

A CID recognized or issued by the City could provide access to benefits beyond the City’s current policy. Iowa City staff currently follow an administrative regulation that instructs all City staff shall accept a government issued photo identification from U.S. or foreign government authority where “presentation of an Iowa driver’s license is customarily accepted as adequate evidence of identity for the purpose of obtaining city services in Iowa City.” This policy also instructs that city personnel, including police officers with the Iowa City Police Department, “shall not subject the person presenting the document to a higher level of scrutiny or different treatment than if the person has provided an Iowa driver’s license.”

Unfortunately, there may be individuals in Iowa City who do not have any valid form of government-issued photo identification and cannot take advantage of the City’s policy. As noted above in Part VI.A, both citizens and non-citizens alike may not have access to any form of government issued identification. Moreover, anecdotal evidence suggests that immigrants in possession of foreign-government-issued identification cards and passports are extremely reluctant to produce them for City officials or private sector entities out of fear that these foreign identification documents will be used as per se evidence of alienage and therefore undocumented immigrant status. Therefore, a CID has the potential to fill this identification gap for particularly vulnerable populations.

The City’s current policy only ensures that the City itself recognizes alternative documentation and does not necessarily ensure that the private sector will recognize other governments’ identification documents. If the City worked with local financial institutions, a CID could potentially function as either a primary or secondary source of identification to create bank accounts. Additionally, a CID could provide identification to emergency personnel, medical service providers, pharmacies, and stores where additional ID is required to make a purchase.

---


36 Id.

37 See infra Parts VII.A & VII.B.

The City’s current policy still requires presentation of government-issued identity documents to police. As previously discussed, some community members will not have any form of government-issued identification to present, or are too afraid to provide foreign-government-issued identification to police. Therefore, these community members may feel reluctant to approach police to report crimes or request assistance. All other CID programs discussed in this Report aimed to encourage all individuals in a community feel safe to request assistance from the police via their CID programs.39 In fact, New Haven reported that five years after the inauguration of its CID program, crime reporting had significantly increased.40

C. Survey Ranking of Benefits and Services Provided by a Community Identification Card in Iowa City

To gauge what benefits Iowa City residents would like a CID to provide, 233 community members were surveyed over the span of approximately two weeks in October 2013. Appendix G of this Report is an example of the survey distributed. Respondents completed the survey in English or Spanish. The survey asked respondents to rank the prospective benefits of a CID in Iowa City on a scale from “not important” to “important” to “very important.” Appendix H details the results to each question. These survey results, while not complete, do indicate there is demand in the community for a CID. Below is a chart showing the 233 respondent’s ranking of each potential category of service.

![Diagram of survey results]

The findings from the survey reveal that community members prioritize interactions with law enforcement above all other possible benefits a CID might provide. Ninety-four

39 See infra Part VII.

40 See infra Part VII.A.i.
percent (94%) of survey respondents answered that they felt it was very important that a CID function as an acceptable form of identification to present to law enforcement. Next, respondents prioritized the ability to use a CID to create a utility account (including an Iowa City utility account) and to access medical services: eighty-seven percent (87%) answered that it was very important for them to be able to use a CID for these purposes. Eighty-five percent (85%) of respondents answered that it was very important to them that a CID would provide access to bank or credit union services such as account creation. Respondents then prioritized access to pharmacy services and feeling part of a city: eighty-four percent (84%) of respondents answered that these benefits were very important to them. Seventy-six percent (76%) of respondents answered that access to the homeless shelter and the county jail was very important to them. Only sixty-eight percent (68%) of respondents answered that using a CID to pay for parking or bus fare was very important. In addition, only sixty-seven percent (67%) of respondents reported that it was very important to them to use a CID to access library services. Last, only sixty-one percent (61%) of survey respondents reported that it was very important to them that a CID provide access to recreation services.

D. Potential for a Community Identification to Create Barriers to Accessing Community Services

Despite all the potential benefits of a CID program in Iowa City, it is important to recognize that the CID has the potential to also create barriers for some residents if the CID becomes a requirement to access city services. For example, Frederick Newell of the Dream Center noted that if a CID were required to access basic services like recreation facilities many youth might incapable of accessing such an excellent community resource.41 Ultimately, Mr. Newell raises the concern that if a CID were required to access basic civic services at all times it could itself become a barrier to access for some community members.

41 See infra Appendix L.
VII. EXAMPLES OF OTHER COMMUNITY IDENTIFICATION CARD PROGRAMS IN THE UNITED STATES

Each city that currently offers or recognizes a CID has combined the cards’ services differently depending on community demands and the needs of the community and city. For example, in Mercer County, New Jersey, the CID program emphasizes good relationships between the community and law enforcement above all other considerations while Oakland, California, emphasizes the financial aspect of the card. Each of these programs responds to the needs of each unique community. In the following section, we will give an overview of the programs in San Francisco, California; New Haven, Connecticut; Mercer County, New Jersey; Richmond, California; and Oakland, California. We have grouped each of these CID programs into three different model program styles: (1) city-issued community identification card programs, (2) non-profit issued community identification card programs recognized by local government, and (3) for-profit issued community identification card programs recognized by local government.

In large part the information included in this section is the result of contacting various city officials to complete a questionnaire on each city’s CID program. Appendix A contains the questionnaire response from New Haven, Connecticut. Appendix B contains the questionnaire response from San Francisco, California. Appendix C contains the questionnaire response from Mercer County, New Jersey. Appendix D contains the questionnaire response from Richmond, California. Appendix E contains the questionnaire response from Oakland, California. Finally, Appendix F contains the questionnaire response from SF Global, a for-profit provider of CIDs that works with Oakland and Richmond.

All CID programs surveyed indicated that at initiation, proponents were primarily concerned with ensuring community members felt safe to contact police for assistance. For example, an immigrant without legal status may feel intimidated to contact the police to ask for help for fear that her immigration status will be discovered and reported to the federal government. To ensure all members of a community feel safe to contact police for help, each CID program discussed in this Report works in conjunction with either a sanctuary city ordinance or a police order to ensure police do not investigate the immigration status of a cardholder or community member unless specific criteria are met. To further public safety concerns more generally, CID programs like the one in San Francisco also list critical medical information on the CID to ensure emergency personnel are notified.

In addition to addressing public safety concerns, all CID programs have sought to ensure cardholder access to financial institutions. For example, early adopters San Francisco and New

---

42 For example, the San Francisco Sanctuary Ordinance “prohibits City employees from helping Immigration and Customs Enforcement (ICE) with immigration investigations or arrests unless such help is required by federal or state law or a warrant. The Ordinance is rooted in the Sanctuary Movement of the 1980’s, when churches across the country provided refuge to Central Americans fleeing civil wars in their countries.” Sanctuary Ordinance, CITY & COUNTY OF SAN FRANCISCO, http://sfgsa.org/index.aspx?page=1067 (last visited Nov. 24, 2013).
Haven partnered with banks to ensure cardholders had access to traditional financial institutions. New Haven was motivated to partner with a local bank because it found that immigrants had a hard time opening a bank account and depositing money and, as a result, had become the targets of theft. Most recently, cities such as Oakland and Richmond have moved concern for banking and commerce to the forefront by partnering with SF Global, a for-profit provider, to create CIDs that may be used as a debit card. However, consumer advocacy groups have criticized this new CID scenario for the high service fees charged to cardholders and the lack of security measures provided by traditional financial institutions. Regardless of the drawbacks, Richmond and Oakland specifically aimed to bolster the local economy by ensuring all residents had the ability to participate in local commerce.

Each city surveyed reported a wide range of start-up and continuing costs. Oakland and Richmond contracted with a for-profit provider to issue their CIDs and neither city had to expend any general funds to offer the card. Still, each city expended city staff hours during contract negotiations and early implementation. In Mercer County a non-profit issued the CID and provided the initial start-up fund of $2,000. Within a month of issuing the card, the non-profit recouped all of the funds it expended at start-up and the program continues to run self-sufficiently. The Mercer County program runs entirely on volunteer labor and there are no personnel costs associated with the program. The New Haven CID program used no general city funds and instead relied on philanthropic donations and grants. Currently, New Haven city staff administer the program as part of daily responsibilities. Finally, in San Francisco, the city expended general funds at start-up totaling $828,000. The annual budget for the San Francisco CID program is $350,000.

Finally, each CID program has sought to integrate basic civic services into the functionality of the card. For example, New Haven allows a cardholder to pay for parking with the CID. In Mercer County and San Francisco cardholders can access public libraries and recreation centers with their CIDs.

A. City-issued Community Identification Card Programs

New Haven, Connecticut, and San Francisco, California, are the first two cities to issue CIDs in the United States. These two cities represent a model whereby the city itself directly issues the CID to residents.

In creating their CID programs, both cities indicated a primary concern with ensuring the safety of all community members through their CID programs. After running its program for five years, New Haven reported a significant increase in crime reporting and a drop in crimes committed.

The costs to implement the New Haven and San Francisco programs are vastly different. New Haven found grant money to start its CID program at no cost to the city while San Francisco spent a significant amount of its general funds to create its program.
Both cities took an active role in partnering with local businesses and groups to ensure the CIDs would have a maximum benefit to cardholders. For example, San Francisco required that all businesses contracting with the city must recognize its CID as a valid form of identification.

i. New Haven, Connecticut

New Haven launched its CID program on July 24, 2007, and has since operated this program successfully. New Haven’s program was the first U.S. city to offer a CID. Since its inception, more than 10,000 cards have been issued to community members.

Prior to issuance of the card, proponents were concerned that criminals targeted immigrants for theft because immigrants had a difficult time opening bank accounts and consequently carried large amounts of cash. Therefore, access to financial institutions was a primary concern of proponents. In addition, to ensure that immigrants felt safe to ask police for help, the mayor issued a police order that prevents police from asking an individual about their immigration status unless that information is relevant to an investigation.

Cardholders have used the CID to access a wide range of services including cashing checks, opening bank accounts, accessing a food pantry, getting a bus pass, getting health

---


44 *Id.*

45 *Id.*

46 *Id.*

47 *Id.*

48 *Id.*
insurance, paying for parking at meters, as a tool in a city-run prison re-entry program for those recently released, and giving people stake in the community and a sense of belonging.\footnote{51}{Thomas MacMillan, \textit{Elm City ID Card Turns 5}, \textit{NEW HAVEN INDEPENDENT}, Jul. 23, 2012, \url{http://www.newhavenindependent.org/index.php/archives/entry/id_card_anniversary/}.}

The program started without costs to the city government and was funded by philanthropic donations and grants. In recent years, the city vital statistics office has managed the program.\footnote{52}{See infra Appendix A. Note where no resource is cited in this section, the information conveyed derives from the information included in Appendix A of this Report.} Therefore, there is no reported separate cost to run the CID program. City staff currently issues the card as just one part of their other job responsibilities.

Since its beginning, the New Haven CID program has faced opponents in the community along with resounding support. At the time of its inception, the national debate over immigration was particularly hot and the CID garnered national attention.\footnote{53}{Id.} The city faced a lawsuit from a private citizen seeking to stop the program and the federal government at one point tried to get cardholder information through a Freedom of Information Act request. However, both issues were resolved in favor of the New Haven program. Conflict over the card has died down and there have been no other issues since its early years of operation.

For a community member to get a CID, they must present acceptable proof of identity and proof of residency in New Haven.\footnote{54}{Id.} If the applicant presents a passport, driver’s license, birth certificate (if under 16 years of age), or consular identification card then the applicant need only present this one document as proof of identity.\footnote{55}{Id.} However, if the applicant does not have one of these forms of identification, then she may present two of the following: a national identification card, foreign driver’s license, voter registration card along with original birth certificate, military identification card along with original birth certificate, a current visa, or an individual taxpayer identification card number card issued by the IRS.\footnote{56}{Id.} To demonstrate residency, an applicant must present two of the following: a utility bill, bank statement, check book, pay check, property tax statement, voter registration card, or documents issued by a social service organization.\footnote{57}{Id.}
To ensure the privacy of cardholder information, the city only keeps information on file that is actually displayed on the card. The city does not keep any copies of applicants’ identity and residence documents.

To ensure accurate issuance, city staff is trained to recognize valid forms of identification issued by other countries. Staff from foreign-government consulates trained city staff to recognize correct identification cards, look for the hallmarks of authentic documents, and catch fraudulent cards. City staff also use a reference book that details what each countries’ identification cards look like. With this training, staff have been able to identify forged documents. In addition, the card has an embedded ultraviolet light hologram in it to protect against forgery.

Ultimately, the CID has been a success. Cardholders have been able to use the CID to open bank accounts, use public transportation, create utility accounts, and cash checks. Assistant Chief of Police Luiz Casanova noted that, “The New Haven Resident Card has been very helpful from a law enforcement perspective. Since the card was introduced, crime reporting has increased in Fair Haven, yet there were double-digit drops in every category of crime. Overall, the card has improved interactions between police and undocumented residents, and has played an important role in building relationships and respect.”

ii. San Francisco, California

San Francisco inaugurated its CID program in January 15, 2009, and was the second U.S. city to create such a program. Notably, San Francisco was the first large U.S. city to implement a CID program — the population of San Francisco is 825,863 while the population of New Haven is 130,741. On the first day the card was available, lines to get a card went out the door

---


57 Id.


and people had to wait for hours to obtain one.\textsuperscript{61} Since the program’s inception, the city has issued 19,000 CIDs to residents.\textsuperscript{62}

Proponents noted that the card would strengthen the community and provide marginalized individuals with better access to important resources such as banks, health care, and library books.\textsuperscript{63} Additionally, proponents were concerned with making sure marginalized individuals could report crimes without fear of negative consequences for failure to have appropriate identification.\textsuperscript{64} Notably, there was almost unanimous support for the CID in the community.\textsuperscript{65}

To ensure cardholder access to financial institutions, the ordinance creating the CID required that all companies in contract with the city recognize the CID as a valid form of identification.\textsuperscript{66} Six local banks in San Francisco currently accept the CID as a primary form of identification.

\begin{itemize}
  \item \textsuperscript{62} See infra Appendix B. Note where no resources is cited in this section, the information conveyed derives from the information included in Appendix D of this Report.
  \item \textsuperscript{63} \textit{San Francisco City ID Fact Sheet}, SAN FRANCISCO IMMIGRANT LEGAL \& EDUC. NETWORK, http://www.sfimmigrantnetwork.org/pdfs/english/SFILENCityIDCardinfoENG.pdf (last visited November 13, 2013).
  \item \textsuperscript{65} Id. (noting the ordinance creating the CID passed with ten supervisors voting to approve and only one voting against); See infra Appendix D.
\end{itemize}
identification. Additionally, to promote local commerce, the city worked to provide discounts to cardholders at local businesses.

In addition to its CID program, San Francisco has a sanctuary city ordinance that requires the city use no municipal funds or staff to assist federal immigration enforcement. The city also has an ordinance that requires the San Francisco Police Department accept the CID as a primary proof of identity unless a police officer believes the card was inappropriately issued or the cardholder is not the person identified on the card.

San Francisco expended a large amount of its general funds to start the program. The total initial cost of the program including hardware, software and licensing, initial supplies, staff, maintenance, and other services totaled $828,000. At implementation no staff was dedicated to provide the service and today two staff members are tasked with running the program. The software alone cost approximately $60,000 and there are ongoing licensing costs. The printer cost $140,000 and the maintenance for the printer is $2,500 per service.

Unlike New Haven, San Francisco has encountered no legal challenges to its CID program. The federal government at no time has tried to obtain the cardholder information San Francisco has on file. To further protect cardholder information, San Francisco maintains a database on a dedicated server that only includes a limited amount of cardholder information.

San Francisco has not had issues with counterfeited CIDs. The software the city uses prevents individuals from applying for multiple CIDs under different names. The card contains overt and covert security features including laser engraving. The city also uses a biometric scanner to issue the card.

To apply for a CID, a resident of San Francisco must first make an appointment up to ninety days in advance by using an online appointment system or by calling the appropriate government office. At the appointment, the applicant must present proof of identity and residence within the city. There is a separate application for residents who are thirteen years

67 Id.


71 This essentially means that the information is stored on its own computer separate from other city data storage devices.


73 Id.
and younger and those who are fourteen years old and older. The cost for a CID is $5.00 for those who are thirteen years old or younger, over sixty-two years old, or are low-income. For all others, the card is $15.00. To prove identity an applicant must present one of the following: a passport, U.S. driver’s license or state ID, green card, or consular identification card. If the applicant cannot present one of these, then she must provide two of the following: certified copy of birth certificate, social security card, foreign driver’s license, military identification card, current visa, individual taxpayer identification number authorization letter, or school identification card. Although, applicants who are under thirteen years of age do not need to present a form of photo identification, all other applicants must. To prove residency in the city, applicants must provide one of the following: recent utility bill, property tax statement, mortgage receipt, bank account statement, pay check stub, a ruling from the residential rent stabilization and arbitration board, jury summons, income tax statement, bill from insurance provider, a letter from a homeless shelter, or a letter from a medical care or social services provider.

B. Non-profit-issued Community Identification Cards Recognized by Local Government

The Mercer County, New Jersey, CID program is unique in comparison to the others discussed in this Report because it is issued by a non-profit group but is accepted and recognized by city and county authorities. In many ways, it has the same functionality as the San Francisco or New Haven programs—it creates a bridge between all community members and law enforcement and provides access to civic institutions. However, it has had less success in providing direct access to financial institutions. The card is only accepted as a secondary form of identification at local banks and not as a primary form of identification. In contrast to San Francisco, the implementation costs and staffing for the CID program are entirely covered by the fees collected when issuing the CID.

74 Id.
75 Id.
76 Id.
77 Id.
79 Id.
80 Id.
i. Mercer County, New Jersey

The Mercer County, New Jersey, CID program offers a unique example of how community groups can work with local governments to create such a program. Ms. Maria Juega is the Executive Director of the Latin American Legal Defense and Education Fund (LALDEF) based in Trenton, New Jersey, and spearheaded the implementation of the Mercer County CID program. In 2008, to create the CID, LALDEF brought together various community and local government groups to create the Tremendously Trenton Coalition (TTC). This coalition consisted of the Trenton Fire and Police Departments, the Trenton Public Schools, several community churches, civic associations, businesses such as CVS pharmacies, and a legal services organization. TTC’s mission was to integrate immigrant populations into the community and support immigrant community leaders. In 2009, TTC and LALDEF worked together to launch the CID program in Trenton, New Jersey. Within a year of the program’s inception, LALDEF had issued more than 1,000 cards. At that point, LALDEF approached police and city leaders in Princeton, New Jersey, to expand the use of the CID into that community. Princeton then started recognizing the CID. In 2010, the CID had a two year track record of success and other local governments in Mercer County began to recognize it. Since then the CID has been used on a county-wide level and LALDEF has issued more than 5,500 CIDs.

Ms. Juega attributes the success of the program in large part to the Trenton Police Department. The department supported the CID program as part of ensuring community policing efficacy. Additionally, the department provided assistance in writing the procedures used by LALDEF to verify applicant’s identity and residence. Ms. Juega notes that “the police department’s recognition of the Community ID Card shows a level of commitment and recognition by the police of the immigrant community, encouraging trust in police officers and reporting of crimes that they have been a victim of or have witnessed.” To further support this

---

81 See infra Appendix C. Note where no resource is cited in this section, the information conveyed derives from the information included in Appendix C of this Report.

82 LALDEF created the coalition and continues to take the lead in issuing the Mercer County card to date. Therefore, this Report will refer to LALDEF as the issuing body although many groups are ultimately involved in issuing the card.
relationship, the mayor in 2009 issued an executive order to Trenton Police Department to refrain from asking residents about their immigration status unless the inquiry is connected to a felony.

To start printing the CIDs, LALDEF used donated laptops, CardFive Vision software, a Fargo C30e ID printer, blank ID cards, and printing ink. The total cost to purchase all of these items totaled $2,000. LALDEF provided the initial start-up funds and was able to recoup all of this initial investment within one month by charging $10.00 per card. The program itself is volunteer-run and no funds are expended on staff. Demand for the card was so heavy that LALDEF purchased two additional printers and two used laptops for approximately $3,500. CID fees cover all the ongoing costs of operation including purchasing new blank cards, printer cartridges, and other maintenance.

LALDEF has encountered no counterfeit cards and has taken steps to ensure CIDs are issued to the correct individual. To ensure it is difficult to copy the CID, only a few people actually have access to the CID template. Ms. Juega notes that if someone wanted to go the trouble of falsifying an identification document, they would likely pick a form of identification recognized throughout the state or nation. Applicants have rarely presented false documents to obtain a CID. However, if this situation arises, the volunteers have two books to assist them in ascertaining that state or international forms of identification are valid. If volunteers detect that a document presented to obtain a CID is falsified, they will decline to issue the card and ask the applicant to return with appropriate documentation.

LALDEF has several policies and practices to ensure cardholder information is secure. LALDEF only maintains basic non-identifying information in its database for the purpose of statistical reports. It does not maintain the following information: “photograph, name, date of birth, address, height, weight, medical information or emergency contact.” To date, neither the federal government nor a community group or member has sought to obtain the information LALDEF has on file. To further ensure cardholder information is secure, all volunteers and staff must sign a confidentiality agreement that restricts the sharing of cardholder information to anyone outside LALDEF unless it is approved by the Executive Director or Board of Trustees.

The demographics of the cardholders are diverse. Cardholders have come from more than thirty countries. U.S. citizens make up approximately ten percent of the cardholder population. The largest age demographic of cardholders consists of individuals between twenty-six and thirty-five years old. Many homeless individuals also use the CID.\(^\text{83}\)

Currently, the card provides access to a variety of city services. A cardholder may present the CID to city police officers; county sheriff officers; many medical service providers including doctors’ offices, ambulance services, and hospital emergency rooms; city and county

recreation services; and public libraries. Notably, the CID does not function as a primary source of identification for opening bank accounts. However, it does function as a secondary source and LALDEF worked with local banking institutions to ensure some level of recognition for the CID.

Unlike the other programs discussed in this Report, LALDEF accepts affidavits from faith-based organizations, social service organizations, or hospitals for applicants who have no other sources of documentation to obtain a CID. LALDEF requires that the letter must be on official letterhead and include the applicant’s name, date of birth, and address. This practice ensures that the most vulnerable populations have access to the card.

C. For-profit-issued Community Identification Cards Recognized by Local Government

Both the cities of Richmond, California, and Oakland, California, have approached issuing a CID in a novel way—by partnering with a for-profit entity. The city licenses its name and logo to the CID provider and in return the CID provider handles all the details of issuing and maintaining the cards. The benefit of this system is that the city incurs no costs and the CID has the potential to function as a debit card. However, the downside of this system is that it is relatively new and there are still kinks to be ironed out, implementation may be slow, the service fees for debit card users are high, the protections provided by traditional banking institutions are not provided by the for-profit entity to CID debit card users, and applicants must be able to produce a high level of documentation to obtain a debit CID card.

i. Oakland, California

Like San Francisco, New Haven, and Mercer County, the Oakland CID began with a concern that immigrants did not feel safe to approach police for assistance and proponents hoped to create trust via a CID. Oakland approached the CID as another tool of its sanctuary city policies. However, unlike San Francisco, Oakland could not afford a CID program in its general budget. Therefore, it took the novel approach of looking for a third party vendor to issue the card without cost to the city. After requesting proposals, Oakland created a licensing agreement with SF Global to create the CID. SF Global began issuing CIDs in February 2013 and has since issued approximately 4,900 CIDs.

---

84 Appendix E. Note where no resource is cited in this section, the information conveyed derives from the information included in Appendix E of this Report.
Oakland, through using a third party vendor, was also able to achieve something unique—the CID functions as a debit card. SF Global works with local merchants to essentially turn them into financial institutions. Each participating merchant is able to take money from a cardholder and then place it on the debit card. The participating merchant is also able to pay out money deposited on the debit card to the cardholder.

However, Oakland’s partnership with SF Global has had several drawbacks including the fact that the debit fees are quite high. As of August 2013 SF Global charged $.75 for each debit transaction, a flat monthly charge of $2.99, a $1.75 fee for calling customer service, and $1.50 for an in-network ATM withdrawal. Critics note that these transaction fees are unacceptably high and the service falls below the standards of traditional bank services. In response, Oakland staff noted that the cost of the financial transactions is slated to decrease as

---


86 Id.

87 Id.


more users sign up to use the debit portion of the card. Even so, some critics note that combining a debit card with a CID is too complex and oftentimes duplicates already available and more affordable and secure financial services in a community.92

To obtain an Oakland CID, an applicant must submit two different tiers of identification depending on whether the applicant wants to use the card as a debit card or solely as an identification card.93 The higher tier is mandated by laws regulating banks and the city is unable to create alternatives for issuing a debit card CID. To prove identity and obtain a debit card CID, an applicant must present one of the following current identification forms: green card, U.S. passport, foreign passport excluding countries prohibited by U.S. Department of the Treasury Office of Foreign Assets Control, U.S. military identification, U.S. state driver’s license, U.S. tribal identification card, employment authorization card, or foreign government ID card from El Salvador, Guatemala, Nicaragua, and Mexico.94 Note, because of these requirements, many immigrants without current legal status will be unable to obtain a CID debit card.95 If the applicant simply wants to use the CID for identification and not as a debit card, then she may use any of the documents previously listed that are expired and may also present a foreign government national identification card, foreign driver’s license, or consular identification card excluding Mexico.96

Oakland asserts that by using a third party vendor, cardholders’ identifying information is more secure.97 The cardholder’s information is perhaps more secure because it is covered by financial regulations prohibiting disclosure of information.98 However, there is some concern that the debit card service does not provide enough protection against loss of a cardholder’s funds through mistake or theft.99

92 Id.


94 Id.

95 See id.

96 Id.


98 Id.

ii. Richmond, California

Richmond, California, is the most recent city in the United States to add a CID program. In fact, the program is so new that no cards have yet been issued, although the city hopes CIDs will be issued as early as January or February of 2014.\footnote{See infra Appendix D. Note where no resource is cited in this section, the information conveyed derives from the information included in Appendix D of this Report.} The ordinance creating the CID program passed on July 19, 2011, with a unanimous city council vote\footnote{RICHMOND, CA., ORDINANCE 16-11 N.S. (Jul. 19, 2011), available at http://www.ci.richmond.ca.us/DocumentCenter/View/24632.} and has received widespread support in the community. The city then requested proposals from qualified vendors to provide the service of issuing the CIDs at no cost to the city.\footnote{LaShonda Wilson, City of Richmond City Manager’s Office, Agenda Report on the City of Richmond Municipal Identification/Stored Value Card Program (May 1, 2012) available at http://www.ci.richmond.ca.us/DocumentCenter/Home/View/8792.} The city received only two vendor proposals and ranked SF Global as the significantly more qualified and desirable vendor.\footnote{Id.} After Oakland, Richmond is the second city client of SF Global.

The city enacted its CID ordinance with the goals of promoting community safety by encouraging all residents to feel entitled to report crimes to the police, ensuring all residents have access to financial institutions, ensuring all residents have a source of identification, and unifying the community.\footnote{RICHMOND, CA., ORDINANCE 16-11 N.S. (Jul. 19, 2011), available at http://www.ci.richmond.ca.us/DocumentCenter/View/24632.} The city noted that cities such as New Haven and San Francisco experienced an increase in reporting crimes after implementation of their CID programs.\footnote{Id.}

Issuance of the CID has taken longer than expected and proponents of the card have been frustrated that the card has taken so long to issue. The ordinance creating the CID program was approved over two years ago and the first CID is expected to be issued in early 2014. In part, the delay appears to be part of ironing out all the details with SF Global as this is still a relatively new service.
VIII. LEGAL ISSUES AND ANALYSIS

The City Attorney asked us to research state and federal laws that might affect the potential implementation of a CID program in Iowa City. In this section, we will discuss (1) whether federal laws permit the introduction of a CID program in Iowa City, (2) whether state laws permit the introduction of a CID program in Iowa City, (3) how federal and state information-sharing laws might affect the operation of such a CID program, (4) how local law enforcement may use a CID as part of typical law enforcement duties such as obtaining arrest and search warrants. We conclude that CIDs are permitted by both federal and state law, the personal information of card-holders may be kept private under both federal and state law, and local law enforcement may use CIDs as part of obtaining search and arrest warrants.

A. Community Identification Cards Are Permitted Under Federal Law

There is no federal law that prohibits a municipal government from authorizing a CID. State and local governments hold a long recognized “police power,” which gives them authority to enact laws for the welfare of their residents. The City would issue a CID for the welfare of its residents; e.g., to give its residents access to City services, and to increase interactions between its residents and City law enforcement. Therefore, the City’s issuing a CID qualifies as a valid exercise of its police power. In the analysis that follows we explain (i) the scope of potentially relevant federal preemption doctrines and (ii) the potentially relevant provisions of the REAL ID Act of 2005. We conclude that neither federal preemption doctrines nor the REAL ID Act prohibit the City from issuing a CID.

i. Community identification cards are not preempted by federal law

The City’s issuing a CID would not conflict with any federal laws. In certain circumstances, a state or municipal law that conflicts with a federal law is invalidated or “preempted” by the federal law. To be preempted, the state or municipal law must either occupy an area of law that the federal government has exclusive power over, or conflict with federal law so as to make it impossible to follow both the state/municipal and federal law. The federal government holds plenary power to make policies and rules regarding immigration laws, and certain state and municipal laws may be invalid if they seek to regulate

107 Id., at 2530.
108 Id., at 2501.
109 Id., at 2498.
immigration laws. In this section we explain that if the City decided to issue a CID it would not be seeking to regulate federal immigration laws, and we conclude that therefore if the City issued a CID, federal law would not preempt such a CID.

If the City issued a CID, it need not seek to occupy the federal government’s exclusive power to regulate immigration laws, nor would it need to create any obstacles to the federal government’s administration of immigration laws. The CID could be intended to serve the entire Iowa City community. The immigrant community could be only one of the many groups served by a CID. Other cities issuing a CID have found that some of the highest volume users of the CID are not immigrants. The purpose of a CID could be to give residents of the community access to City benefits. Giving many groups within the community wider access to City benefits does not approach creating laws that seek to regulate federal immigration matters.

If the City decides to introduce its own CID or to grant official recognition to a CID produced by a third party, the City Council could pass an ordinance to authorize and give guidance to the CID program. The ordinance could be expressly designed to ensure that the purpose and usage of the CID does not conflict in any way with the federal government’s administration of immigration laws. The CID ordinance need not seek in any way to regulate federal immigration laws, and would defer to federal law in the case of preemption.

ii. The REAL ID Act does not prohibit the City from issuing a community identification card

The provisions of the REAL ID Act of 2005 (“Act”), which is a federal law that applies to the issuance of state identification cards, does not prevent a municipality from issuing a CID. The Act prohibits a federal agency from accepting an identification card issued by a state unless the state’s ID meets the Act’s requirements. The Act does not apply to forms of identification issued by municipal governments. In this section we explain relevant parts of the Act and conclude that the Act does not preclude the City from issuing a CID.

One part of the Act that is relevant to a CID is the requirement that states may not issue IDs that may be used for federal purposes to applicants who cannot prove that they are in the United States lawfully. However, under the Act, states may issue IDs that are not for federal use as long as they “clearly state on its face that it may not be accepted by any Federal agency for federal identification or any other official purpose,” and “use a unique design or color

---

110 Id., at 2501.

111 See infra Appendix E.


113 See Id., § 201(5) (defining State).

114 Id., § 202(c)(2)(B).
indicator to alert Federal agency and other law enforcement personnel that it may not be accepted for any such purpose.”115 This means that even if the Act did apply to municipalities, cards “not for federal use” could be issued under the Act as long as they complied with these requirements.

Many states offer “not for federal use” driver’s licenses and identification cards to undocumented persons.116 Those IDs do not meet the requirements of the REAL ID Act, but are still valid because they are not used for federal purposes, and are therefore not subject to the Act’s requirements. Iowa has a non-operator’s identification card for those who do not qualify for a driver’s license,117 but it requires proof of valid immigration status before these IDs can be issued.118

A CID need not violate the REAL ID Act because the Act does not seek to regulate municipal governments. Even if the Act did seek to regulate municipalities, if the City decided to issue a CID, the City could ensure that such an ID would have a distinctive design, color, and/or text explicitly stating that it cannot be accepted by a federal agency for any official purpose.

B. Community Identification Cards are Permitted Under Iowa Law

Just as federal law may preempt states from acting within certain spheres, it is possible for state laws to preempt or restrict the scope of authority or action of city and county governments. Therefore, as the City considers either issuing or recognizing a CID, it must consider whether state laws prevent the City from acting. To evaluate this concern, the following section will examine current Iowa law governing state preemption of local authority to determine whether the City may act. Ultimately, this section finds that nothing in state law preempts the City from issuing or recognizing a CID.

State preemption of local authority is based in the Iowa Constitution, statutes, and Iowa court-made common law. The basis of Iowa law governing state preemption and city power is the 1968 Municipal Home Rule Amendment to the Iowa State Constitution. Prior to the passage of this amendment, Iowa municipalities had little power to determine their local affairs.119 However, this amendment granted cities broad “power and authority . . . to determine their

115 Id., § 202 (d)(11)(A)-(B).


117 IOWA ADMIN. CODE r. 761-630.2(321)(2013) (Stating that Iowa’s non-operator’s identification card may only be used for identification purposes).

118 IOWA ADMIN. CODE r. 761-601.5(321)(2013) (Stating that “[a] person who applies for a new driver’s license or nonoperator’s identification card...shall submit proof of lawful status in the United States.”)

local affairs and government” so long as a local ordinance was not inconsistent with state law.**120** Iowa Code Section 364.2 further clarifies the powers of the cities of Iowa. This provision states that a municipality may not act where state statute expressly imposes limitations on the municipality.**121** It further states that municipal ordinances are inconsistent with state law only when they are irreconcilable.**122**

The Iowa Supreme Court has further clarified the constitutional and statutory standard for when state law preempts a municipal ordinance.**123** City ordinances can be either expressly or impliedly preempted by state law.**124** The court stated that state law expressly preempts a municipal ordinance when the state “has specifically prohibited local action in an area.”**125** State law impliedly preempts a municipal ordinance where either a municipal ordinance “prohibits an act permitted by a statute, or permits an act prohibited by a statute” or the state has enacted statutes “in such a manner as to demonstrate a legislative intention” to occupy a field.**126** As will be explained in further detail below, under these standards of preemption—(i) express, (ii) implied, and (iii) field—state law does not preempt the City from issuing or recognizing a CID.

However, before engaging in a preemption analysis, a reviewing court must first determine if a municipal ordinance governs a “local affair.” The Iowa legislature has broadly defined the powers of municipalities as including the “exercise [of] any power and perform[ance] [of] any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.”**127** The Supreme Court of Iowa has recognized that this formulation of “local affairs” encompasses almost any activity.**128** A concern may be both of statewide importance and still be considered a “local affair” suitable for city action or regulation.**129** As a result, the only limitation on a municipality’s ability to

---

**120** IOWA CONST. art. III, § 38A.

**121** IOWA CODE § 364.2 (2013).

**122** Id.

**123** Goodell v. Humboldt County, 575 N.W.2d. 486 (Iowa 1998).

**124** Id.

**125** Id. at 492.

**126** Id. at 493.

**127** IOWA CODE § 364.1 (2013).

**128** Worth County Friends of Agriculture v. Worth County, 688 N.W.3d 257, 261 (Iowa 2004) (discussing Iowa Code section 331.301(1) which defines the powers of county governments in a parallel wording to the Code’s definition of the powers of municipal governments).

**129** Goodell, 575 N.W.2d. 486 at 494 (citing IOWA CONST. art. III, § 39A).
regulate “local affairs” is when the state legislature preempts it through legislation and a reviewing court will likely not spend much time on this portion of this preliminary analysis.  

i. Community identification cards are not expressly preempted by state law

The first concern is that an Iowa statute expressly prohibits the City from issuing or recognizing a CID. In this section we first examine the legal standard for determining when a state law preempts a city’s authority to act. We then examine whether anything in the state laws granting and restricting city authority restrict the City’s ability to act. Then, since a CID is a form of government-issued identification, this section examines whether Iowa laws providing for government-issued identification prohibit the City’s ability to issue a CID. Finally, this section examines other portions of the Iowa Code to determine that no other state laws restrict the City’s authority.

“[E]xpress preemption[] applies where the legislature has specifically prohibited local action in a given area.” Typically, the court can simply look to the wording of the statute to determine whether a local ordinance is expressly preempted by state law. The court will also use all its other established guidelines for statutory construction.

In Chelsea Theater Corporation v. Burlington, the Court considered whether an Iowa statute expressly prohibited a municipal ordinance regulating the sale of obscene materials and “public displays of explicit sexual material.” At issue was Iowa Code section 725.9 which stated:

In order to provide for the uniform application of the provisions of sections 725.1 to 725.10 relating to obscene material applicable to minors within this state, it is intended that the sole and only regulation of obscene material shall be under the provisions of these sections, and no municipality, county or


---

130 Worth County Friends of Agriculture, 688 N.W.3d at 261.


132 Id.

133 Chelsea Theater Corporation v. Burlington, 258 N.W.2d 372, 373 (Iowa 1977) (noting that its established guidelines direct the court to (1) “avoid strained, impractical or absurd results,” (2) give the ordinary meaning to the language of the statute “but the manifest intent of the legislature will prevail over the literal import of the words used,” (3) avoid construction “where the language is clear and plain,” (4) reach a reasonable construction of a statute by “look[ing] to the object to be accomplished and the evils and mischiefs sought to be remedied,” (5) consider all parts of the law together and not elevate a single section above others, and (6) “give weight to the administrative interpretation of statute, particularly when they are of longstanding.”)

134 Id.
other governmental unit within this state shall make any law, ordinance or regulation relating to the availability of obscene materials. (emphasis added)

The City of Burlington argued that the prefatory wording of the statute limited the scope of the express preemption to the regulation of juvenile access to obscene materials. The court, however, found that the introductory clause was “merely descriptive of the state law” and that the statement of the statute barring local regulation of obscene material “plainly expresses a legislative intention to deny political subdivisions the power to enact any law, ordinance or regulation relating to the availability of obscene material.” The court, in a later case, clarified that this preemptory language applied to all materials regulated under the entirety of chapter 727. Therefore, it is necessary to examine the breadth of a state law to ensure that none of its sections include express preemption language.

None of the Iowa Code provisions that grant and limit the City’s governmental authority expressly preempt the City from issuing or recognizing a CID. Iowa Code section 364.3 provides some limitations on the powers of municipalities provided by Iowa Code section 364.1. Section 364.3 provides various explicit limits on the powers of municipalities including criminal and civil penalties; certain licensing fees; city run utilities such as cable, gas, and electricity; rent controls; and storm shelter construction. However, none of these provisions specifically restrict the City from issuing or recognizing a CID.

Additionally, the state laws governing the Iowa Department of Transportation and the issuances of drivers’ licenses and non-operators’ identification cards do not expressly preempt the City from acting. The state legislature created the Department of Transportation (DOT) in 1974 and charged it with “planning, development, regulation and improvement of transportation as provided by law.” Through rulemaking, the DOT clarified that its mission “is to promote a transportation system to satisfy user needs and maximize economic and social benefits for Iowa citizens [and] to encourage and support programs to provide commodity movement and mobility for all citizens.”

Per its statutory mandate, the DOT issues drivers’ licenses and non-operator photo identification cards to Iowa residents. The Motor Vehicle Division of the DOT is tasked with

---

135 Id. at 374.
136 Id.
137 Mall Real Estate v. City of Hamburg, 818 N.W.2d 190, 196 (Iowa 2012).
140 Iowa Admin. Code r. 761-1.5 (2013).
licensing drivers in Iowa and administers a licensing examination to determine which drivers have the “ability to operate motor vehicles safely upon the highways.”\textsuperscript{142} The exam includes a vision test, test of Iowa traffic laws and highway signs, and a driving test.\textsuperscript{143} If a prospective driver fails any portion of the required tests, then she will not receive a license to drive.\textsuperscript{144} While an Iowa resident may apply for a non-operator’s identification card at a driver’s license examination station\textsuperscript{145} these cards are meant to serve as identification only and do not license an Iowa resident to drive.\textsuperscript{146}

The Iowa Code makes clear that only the DOT and certain authorized counties may issue “driver’s licenses, nonoperator identification cards, and persons with disabilities identification devices.”\textsuperscript{147} But, nowhere do the provisions that regulate the issuance of Iowa drivers’ licenses or non-operators’ identification cards indicate that the legislature intended these specific documents to be the one and only form of acceptable photo identification in the state.\textsuperscript{148} Unlike the provision at issue in \textit{Chelsea Theater Corporation}, nowhere in the Iowa Code provisions covering the issuances of drivers’ licenses and non-operators’ identification cards does it state that the issuance of identification cards shall be solely regulated and provided by the state.

Finally, other sections of the Iowa Code and Iowa Administrative Code provide recognition for forms of photo identification other than drivers’ licenses and non-operators’ photo identification cards thereby indicating that alternate forms of identification may be recognized at the state level in certain situations. For example, a voter may demonstrate her identity and residence for the purpose of registering to vote with a current Iowa driver’s license, Iowa non-operator’s identification card, or “[a]n identification card issued by an employer[,] [or] [a] student identification card issued by an Iowa high school or postsecondary educational institution.”\textsuperscript{149} Another provision of the Iowa Administrative Code allows a mother to submit a

\textsuperscript{142}IOWA ADMIN. CODE r. 761-1.8(5); 761-601.1 (2013).

\textsuperscript{143}IOWA ADMIN. CODE r. 761-604.7(321) (2013).

\textsuperscript{144}IOWA ADMIN. CODE r. 761-604.40 (2013).

\textsuperscript{145}IOWA ADMIN. CODE r. 761-630.2(1) (2013).

\textsuperscript{146}IOWA ADMIN. CODE r. 716-630.2(3) (2013).

\textsuperscript{147}IOWA CODE § 321M.2 (“Notwithstanding provisions of chapter 321 or 321L that grant sole authority to the department for the issuance of driver’s licenses, nonoperator identification cards, and persons with disabilities identification devices, certain counties shall be authorized to issue driver’s licenses, nonoperator identification cards, and persons with disabilities identification devices, according to the requirements of this chapter.”)

\textsuperscript{148}IOWA CODE §§ 321.189, 321.190 (commanding the issuance of drivers’ licenses and non-operators’ licenses); IOWA ADMIN. CODE r. 761 (providing rules and regulations for the DOT).

\textsuperscript{149}IOWA CODE § 487A.7A(b)(1) (2013).
request for a birth certificate for her child after a home birth with her “current government-issued photo identification” or “other identifying documentation.” These provisions indicate that drivers’ licenses and non-operators’ cards are not intended to be the sole form of identity cards in Iowa.

ii. Community identification cards are not impliedly preempted by Iowa law

The Iowa Supreme Court has recognized that a state statute may impliedly preempt a local ordinance if the “legislature has covered a subject by statute in such a manner as to demonstrate a legislative intention” to occupy the field or where the local ordinance is “inconsistent with the laws” of the Iowa legislature. A local ordinance impermissibly “conflicts” with a state law when the two are “irreconcilable.” The Iowa Supreme Court has further defined what is irreconcilable with its “permit, prohibit” test.

Under the “permit, prohibit test,” a municipal ordinance irreconcilably conflicts with state law and is therefore impliedly preempted where it “prohibits an act permitted by statute, or permits an act prohibited by a statute.” To determine what a statute permits or prohibits, the examining court looks to “the legislative intent in enacting the state statutes and [] require[s] that any local ordinance remain faithful to this legislative intent, as well as to the legislative scheme established in relevant state statutes.” Under Iowa Code section 4.6, the court looks to the statute itself and legislative history to determine the legislative intent.

The reviewing court will try to avoid preemption where it can by reading the state statute in a way that harmonizes it with the local ordinance.

The Iowa Supreme Court has reviewed a wide spectrum of local ordinances under the prohibit prong of its implied conflict preemption test. In the majority of these cases the court reviewed municipal or county ordinances that set higher or different standards for the regulation of activities than a state statute already provided.

150 IOWA ADMIN. CODE 641-96.7(5) (2013).
151 Goodell, 575 N.W.2d at 498, 500 (citing IOWA CONST. art. III, § 39A).
152 Goodell, 575 N.W.2d at 500 (citing Iowa Code § 331.301).
153 Goodell, 575 N.W.2d at 486, 500 (citing City of Des Moines v. Gruen, 457 N.W.2d 457, 342 (Iowa 1990)).
154 Id. at 500.
155 Id. at 500.
156 Id. at 500. [?]
157 See Goodell, 575 N.W.2d at 500–501; See also Cedar Rapids Human Rights Commission v. Cedar Rapids Community School District, 222 N.W.2d 391, 400–03 (Iowa 1974) (finding a city ordinance which provided no
Here, the City is not interested in setting higher or different standards for regulating an activity already regulated by state statute and if it issued a CID its actions would not fall under the prohibit prong of the test. The state legislature has provided that the DOT will issue drivers licenses incident to licensing drivers for the safe operation of motor vehicles on the highway and will issue non-operators’ identification cards.\(^{158}\) The state legislature has provided a process for issuing these documents to Iowa residents.\(^{159}\) However, the standards the legislature set for issuing a driver’s license or a non-operator’s photo identification card only apply to these forms of identification.\(^{160}\) The statutory language in no way indicates that these requirements apply to any other type of photo identification card that might be issued throughout the state.\(^{161}\)

To conflict with the state laws governing the issuance of driver’s licenses and non-operators’ photo identification cards under the prohibit prong of the test, the city would need to take it upon itself to issue drivers’ licenses or non-operators’ identification cards and implement stricter standards than are provided for in Iowa law. However, the City has no interest in seeking to more strictly regulate the issuance of Iowa driver’s licenses and non-operators’ identification cards. Instead, the City seeks to potentially provide a different service to its residents which falls entirely outside the regulations provided in Iowa Code sections 321.189 and 321.190. Therefore, any standards the City would set to regulate the issuance of a CID could not conflict with state law—let alone set a higher or different standard for regulating an activity which would place it in danger of preemption via the prohibit prong of the conflict preemption test.

---

appellate procedures for the decisions Cedar Rapids Human Rights Commission preempted a state statute providing a hearing on appeal in the district court); Bryan v. Des Moines, 261 N.W.2d 685, 686–87 (Iowa 1978) (upholding a city ordinance setting educational requirements for police officer promotion despite the appellants argument that the state civil service commission had the sole authority to set requirements for promotion “because of its statutory duty to ‘hold competitive promotional examinations for the purpose of determining the qualifications of applicants for promotion to higher grade under civil service.’”); Sioux City Police Officers’ Association v. City of Sioux City, 495 N.W.2d 687, 694 (Iowa 1993) (upholding a city ordinance that set anti-nepotism criteria for employment and promotion for city employees that were beyond Iowa statutory provisions); Iowa City v. Westinghouse Learning Corp., 264 N.W.2d 771, 773 (Iowa 1978) (finding a city ordinance which provided procedures for its civil rights commission were inconsistent with the procedures provided under Iowa statute); Beerite Tire Disposal/Recycling v. City of Rhodes, 646 N.W.2d 857 (Iowa 2002) (finding a city ordinance governing tire disposal with stricter regulations than the Iowa statute governing tire disposal was not impliedly preempted by state law); Baker v. City of Iowa City, 750 N.W.2d 93 (Iowa 2008) (finding a City ordinance which regulated employment discrimination of employers with fewer than four employees was impliedly preempted by state law because the Iowa statute and the city ordinance were irreconcilable after examining the legislative intent of the Iowa legislature when it enacted of the statute).

\(^{158}\) IOWA CODE §§ 321.189, 321.190 (2013).

\(^{159}\) Id.

\(^{160}\) Id.

\(^{161}\) See id.
The Iowa Supreme Court has had fewer occasions to examine municipal ordinances that permit activity that the state has proscribed. In *Lewis v. Jaeger*, the Iowa Supreme Court considered whether a city ordinance could authorize a city manager to order a landlord to immediately evict a tenant and change the locks on an apartment to rectify an emergency which impacts public health, safety, or welfare, where an Iowa statute provided an evicted tenant three-day notice and an opportunity to contest the eviction.\(^{162}\) To determine whether the city ordinance and the statute conflicted, the court examined the Iowa Uniform Residential Landlord and Tenant Act (IURLTA) which provided a three-day notice procedure for eviction.\(^{163}\) The court examined IURLTA to determine if it restricted the city’s authority to act and found that it did not.\(^{164}\) To make this conclusion, the court looked at the legislative context of IURLTA and found that the legislature passed the statute to recognize the minimum housing standards already supplied by many cities.\(^{165}\) It also noted that the IURLTA specifically included a section which allowed its provisions to be supplemented for the purpose of “public health, safety and fire preventions.”\(^{166}\) Further, the court noted that Iowa Code section 364.17 actually requires certain cities to adopt a housing code which includes enforcement provisions.\(^{167}\) Therefore, the court found that the city’s ordinance providing more liberal standards for eviction in cases involving public safety and health was not preempted by state law.\(^{168}\)

Here, if the City chooses to issue a CID, it would not permit something currently prohibited by Iowa law. Unlike in *Lewis*, there is no Iowa law regulating the issuance of photo identification cards by municipalities or other actors. The statutory language providing for the issuance of Iowa drivers’ licenses and non-operator identification cards in no way suggests that these requirements apply to any other type of photo identification card that might be issued throughout the state.\(^{169}\) Therefore, if the City choses to issue a CID, it would not permit something otherwise prohibited by Iowa law.

\(^{162}\) *Lewis v. Jaeger*, 818 N.W.2d 165 (Iowa 2012).

\(^{163}\) *Id.* at 178 (citing IOWA CODE § 562A.2(2)(a)).

\(^{164}\) *Id.* at 178.

\(^{165}\) *Id.* at 179.

\(^{166}\) *Id.* at 179 (citing Iowa Code § 562A.3).

\(^{167}\) *Id.* at 178.

\(^{168}\) *Lewis*, 818 N.W.2d at 178.

\(^{169}\) IOWA CODE §§ 321.189, 321.190 (2013).
iii. Community identification cards are not field preempted by Iowa law

Where the state has extensively regulated a field then a city may not be able to operate in this field. The Iowa Supreme Court has found that the state did not occupy the field “despite the extensive statutory regulation of” an area of law and only found field preemption where the legislature specifically stated that a specific law “shall . . . be uniform throughout this state and in all political subdivisions and municipalities therein.”170 The court concluded that “extensive regulation of an area is not sufficient in the absence of a clear expression of legislative intent to preempt regulation of field by local authorities, or a clear expression of the legislature’s desire to have uniform regulations statewide.”171

State law does not occupy the field and the City may issue a CID if it chooses to do so. The state legislature has not extensively regulated the area of government-issued photo identification cards and has also not provided a clear statement of exclusive regulation in the area.172 Iowa Code sections 321.189 and 321.190 do provide for and regulate the issuance of drivers’ licenses and non-operators’ identification cards by the DOT. Iowa Code Chapter 321 does not state that the Iowa legislature exclusively reserves the power to regulate photo identification cards in the state or that all photo identification cards are prohibited except as provided by Chapter 321 of the Iowa Code.173 In addition, other than Iowa Code sections 321.180 and 321.190, the state legislature has not categorically regulated government-issued photo identification cards. Therefore, the City may choose to act by issuing a CID without concern that state laws field preempt its authority to do so.

C. Safeguarding City Residents’ Private Information Under Federal Laws

If the City decides that privacy of the personal information of CID applicants is a high priority, there are steps the City could take in order to safeguard that information under federal information-sharing laws. As shown by the graph below, many City residents consider it important that their personal information be kept private.

170 Goodell, 575 N.W.2d at 499 (citing Bryan, 261 N.W.2d 686; City of Vinton v. Engledow, 140 N.W.3d 857 (Iowa 1966)).

171 Id. at 499–500.

172 See Goodell, 575 N.W.2d 486.

173 Iowa Grocery Industry Association v. City of Des Moines, 712 N.W.2d 675 (Iowa 2006).
This is also true in other cities; therefore, some cities choose to create only a limited database of applicants' basic information.\textsuperscript{174} The federal government cannot compel the City to share the personal information of CID applicants.\textsuperscript{175} Other cities have demonstrated that one of the safest ways to avoid potential conflicts in information sharing with the federal government is to not maintain copies of the identity documentation provided by CID applicants at the time they submit their applications.\textsuperscript{176} These cities maintain a database that includes only the information found on the CIDs themselves. In this section, we will discuss one line of federal laws and two federal programs that are relevant in safeguarding City residents' private

\textsuperscript{174} See infra Appendix A. (Stating that the city of New Haven does not maintain copies of applicant documents.); See infra Appendix B. (Stating that the city of San Francisco keeps limited information on the database.)

\textsuperscript{175} Printz v. United States, 521 U.S. 898 (1997). (Stating that federal law could not require the state law enforcement officers to act by participating in its enforcement); see also New York v. United States, 505 U.S. at 188 (noting that the Radioactive Waste Act illegally required the state to act for the federal law and regulate the disposal of radioactive waste). But see Reno v. Condon, 528 U.S. 141 (2000). (Holding that the federal government could regulate states that engaged in interstate commerce under Congress’ Commerce Clause authority)

\textsuperscript{176} See infra Appendix A. (Stating that the city of New Haven does not maintain copies of applicant documents.); See infra Appendix E. (Stating that the city of San Francisco keeps limited information on the database.)
information. The first law deals with information sharing with the federal government, and the two programs are the INA § 287(g) Program and the Department of Homeland Security Secure Communities Program. We conclude that neither the federal laws, nor the two relevant federal programs can compel the City to share the personal information of CID applicants with the federal government.

i. The City need not maintain immigration information

If the City followed the examples of other cities with CIDs and opted not to maintain any records pertaining to CID applicants’ documentation or countries of origin, the City would not be violating any federal laws. Federal law states that local governments cannot prohibit a government entity from maintaining immigration information and exchanging it with the federal government, but nor can they compel such information sharing.177 The CID database need not maintain any documentation provided by CID applicants, nor does it need to contain any information regarding the legal status of the applicants. The City cannot be compelled to share information that it does not maintain; therefore any law that requires information to be exchanged with the federal government would not apply.178 The limited information that the City might hold; e.g., the information found on the CID such as name, age, and resident address, need not give any indication as to the immigration status of CID cardholders.179 Therefore, any personal information held by the City need not contain information regarding the immigration status of CID cardholders and the City would be in compliance with federal information sharing laws.

ii. The 278(g) Program does not give the federal government access to community identification card applicant information

The 287(g) Program180 allows a city to enter into a “Memorandum of Agreement” with ICE which allows local law enforcement to enforce federal immigration laws at the city’s expense.181 Although local governments may be encouraged to participate, they cannot be


178 Sturgeon, 95 Cal. Rptr. 3d at 731–33.

179 The City Attorney’s office has expressed some concern that individuals perusing a list of CID holders names might conclude that all persons with Latino last names are undocumented and to target those persons accordingly. This has not proven to be an issue in other communities that have introduced CIDs. First, to reach such a conclusion based on names alone would be to engage in impermissible racial profiling. Second, because CIDs in those communities have been used by persons with a variety of different immigration statuses, including United States Citizens, Lawful Permanent Residents, Asylees, and undocumented individuals.

180 The 287(g) Program was named after the section of the Immigration and Nationality Act (INA) that enacted it.

181 INA § 287(g); 8 U.S.C. § 1357 (2013).
required to participate in the 287(g) Program under both the INA\(^\text{182}\) and other federal laws.\(^\text{183}\) No local government within the state of Iowa currently has a 287(g) agreement with ICE, and the City is under no obligation to participate in the Program.\(^\text{184}\) Even if the City were to begin to participate in the 287(g) program after the CID program were initiated, there need be no added risk for a community member to apply for or hold a CID because information regarding immigration status of applicants need not be maintained by the City.

iii. Secure Communities does not give the federal government access to community identification card applicant information

Secure Communities, which began in 2008, allows ICE to have access to the fingerprints of individuals who have been arrested for violations of local, state, or federal law.\(^\text{185}\) ICE’s access to fingerprints allows ICE to check if an arrested individual is unlawfully present in the United States.\(^\text{186}\) If the arrested individual is unlawfully present, ICE then determines whether or not to remove the individual from the United States.\(^\text{187}\) Although Iowa participates in Secure Communities, the Program does not require any additional information gathering from the state or local government aside from what was done before the program started.\(^\text{188}\) Biographic information is only traced via the Secure Communities database when a person is arrested, which would form no part of the CID application process.

E. Safeguarding City Residents’ Private Information Under Iowa Open Records Laws

The private information of CID applicants will remain protected under Iowa’s open records laws. As shown in the previous section, privacy concerns are a high priority for community members who are potential CID card-holders. Even if an information request were made under Iowa’s open records laws, the identity of “a person outside the government,”

\(^\text{182}\) INA 287(g)(9) (Stating that nothing within INA 287(g) “shall be construed to require any State or political subdivision of a State to enter into an agreement with the Attorney General under this subsection.” (italics added).

\(^\text{183}\) New York v. United States, 505 U.S. 144 (1992). (Stating that although the Federal Government does lack the ability to compel a local government to act, that is not to say that it “lacks the ability to encourage a State to regulate in a particular way, or that [it] may not hold out incentives to the States as a method of influencing a State’s policy choices.


\(^\text{186}\) Id.

\(^\text{187}\) Id.

\(^\text{188}\) Id.
namely, almost all CID applicants, would be protected.¹⁸⁹ In this section, we will discuss how applicants’ personal information will be treated under Iowa’s open records laws if copies of applicant documentation are maintained. We explore how CID applicants’ personal information will be treated if that information is held by (i) the City; (ii) a non-profit; or (iii) a for-profit organization. We conclude that, under Iowa law, CID applicants’ information should be protected regardless of who holds the information, although ensuring that protection may be less costly if a third party, rather than the City itself, holds the relevant information.

i. City-issued community identification card

If the City decides to administer the CID itself, and to maintain copies of applicant documentation, it would be subject to information requests, but CID applicants’ information would fit within an exception to the Iowa open records laws and would therefore remain protected. Documents of the City of Iowa City are considered public records.¹⁹⁰ Because the City’s documents are considered public, anyone can request information.¹⁹¹ However, if that information were requested, the City would be given the opportunity to demonstrate that applicants’ information is protected by an exception to Iowa’s open records laws.¹⁹² Iowa courts interpret disclosure requirements broadly, and they interpret the confidentiality exceptions narrowly.¹⁹³ In this section, we discuss the potential downside to a CID issued by the City, and a relevant exception to Iowa’s open records laws. We conclude that CID applicants’ information will remain protected under the exception, but the City may need to expend resources to demonstrate that fact.

The potential downside of the City issuing the CID itself is the possibility of the City having to spend resources to demonstrate to a court that information gathered from CID applicants fits within an open records exception. This would occur only if an information request were actually made, and if the City maintained copies of the documentation applicants provided. While the City can demonstrate that applicant information fits within the exception; if the City decided to contest the information request, the City would carry the burden of proof to demonstrate the exception’s applicability, which would require the City to expend resources.

¹⁸⁹ Iowa Code Ann. § 22.7 (West 2013). (“Information contained in the communication is a public record to the extent that it can be disclosed without directly or indirectly indicating the identity of the person outside of government making it or enabling others to ascertain the identity of that person.”)

¹⁹⁰ Iowa Code Ann. § 22.1 (West 2013). (Stating that records that are “of or belonging to this state or any…city…are subject” to the open records laws in Iowa).

¹⁹¹ Iowa Code Ann. § 22.2(1) (West 2013). (Stating that “[e]very person shall have the right to examine and copy public records . . . .” (emphasis added).

¹⁹² Clymer v. City of Cedar Rapids, 601 N.W.2d 42, 45 (Iowa 1999). (Stating that the party “seeking the protection of one of the statute’s exemptions bears the burden of demonstrating the exemption’s applicability.”)

The exception that applies to applicants’ information is the “communications not required by law” exception. The purpose of this exception is to allow governments to encourage the sharing of useful information that individuals might not share if they knew the information could be “available for public examination.” The Iowa Supreme Court has held that this exception was meant to protect a “broad category of useful incoming communications.” To fit within the exception, it must be shown that i) information is given by persons outside the government, ii) the information to be gathered is not required by law, iii) the information is useful to the government body, iv) the government body gathering the information could reasonably believe that individuals would be discouraged from sharing the information if they know it would be available for public examination.

CID information that would be held by the City would fit within the “communications not required by law” exception because i) the information gathered would be the information of persons outside of the government; namely, City residents, ii) City residents would not be required by law to apply for a CID, iii) the information provided by applicants would be useful to the City (e.g. the CID would allow increased interaction with community residents and law enforcement officers, access to city services, integration, etc.), and iv) the City reasonably believes that many potential applicants consider their concerns for the privacy of their information to be serious, and if applicants’ information were subject to disclosure, individuals would be discouraged from applying for a CID. In some respects, the private resident information required to obtain a CID is analogous to the information pertaining to Iowa City residents’ utility accounts and billing that is held by the City and which, under Iowa law is “private customer information” that may not be subjected to an open records request.

---

194 Iowa Code Ann. § 22.7(18) (West 2013). (“Communications not required by law, rule, procedure, or contract that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.”)

195 Iowa Code Ann. § 22.7(18) (West 2013); City of Sioux City v. Press Club, 421 N.W.2d 895, 898 (Iowa 1988). (Stating that the purpose of I.C.A. § 22.7(18) is “to permit public agencies to keep confidential a broad category of useful incoming communications which might not be forthcoming if subject to public disclosure.” See also Des Moines Register & Tribune Co. v. Dwyer, 542 N.W.2d 491, 499 (Iowa 1996). (stating that part of the rationale for the rule is to eliminate the “chilling effect on our citizens’ rights and willingness to contact their elected officials” if they knew it would be available for public examination).

196 City of Sioux City 421 N.W.2d at 898. (emphasis added).

197 Iowa Code Ann. § 388.9A (2013) (“Notwithstanding section 22.2, subsection 1, public records of a city utility or combined utility system, or a city enterprise or combined city enterprise as defined in section 384.80, which shall not be examined or copied as of right, include private customer information. Except as required pursuant to chapter 476, private customer information includes information identifying a specific customer and any record of a customer account, including internet-based customer account information.”)
To apply for a CID program, an applicant would need to provide documentation to prove basic personal information, including City residence. The City could choose to keep all of the documentation, or only limited information. Obviously, should the City opt to keep only minimal records—as other communities with CIDs have done—in the highly unlikely event that an Iowa open records request were successful, the immigration status of CID applicants would not be disclosed. Assuming this approach is adopted, the only potential downside to the City administering the CID itself would be the possibility of having to spend City resources to demonstrate that the applicants’ information fits within an exception to Iowa’s open records laws. This issue would only arise if an open records request were to be made to the City, and if the City itself maintained a database of CID applicants’ documentation.

ii. City-recognized community identification card

If the City decides to recognize a CID issued by a non-profit or a for-profit organization, the applicants’ personal information will be more protected than if the City were to administer the CID itself. Information held by a private organization is not considered “public” under Iowa’s open records laws and is therefore not subject to information requests.198 In this section, we explain that a non-profit or for-profit organization would not be “performing a government function,” and is therefore not treated as a public entity. We conclude that a non-profit and a for-profit would not be treated as a public entity, and that information they maintain would therefore not be subject to disclosure requests.

The only potential circumstance that would allow a non-profit’s information to be subject to requests is if it can be shown that the non-profit was “performing a government function.”199 Cities are not expected to issue CIDs, and it would be very difficult to demonstrate that a non-profit issuing CIDs was performing a government function.200 The Iowa Supreme Court states that merely because a private entity is performing a function that “may be characterized as a government function” does not mean that it must “open its doors to public scrutiny.”201

---

198 IOWA CODE ANN. § 22.2(1) (West 2013). (Stating that “[e]very person shall have the right to examine and copy public records . . .” (emphasis added); IOWA CODE ANN. § 22.1 (West 2013). (stating that public records include all “records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city . . .”).


200 KMEG Television Inc. v. Iowa State Board of Regents, 440 N.W.2d 382, 385 (Iowa 1989) (network bid proposals received by communications company pursuant to company’s contract with state university for broadcast of sporting events are not public records because broadcasting sporting events is not a governmental function). But see, Gannon v. Board of Regents, 692 N.W.2d 31 (Iowa 2005), overruling KMEG in part and holding that the Iowa State University Foundation “performs a government function by virtue of its contract with ISU. Therefore, its records are “public records” subject to examination.” Id. at p. 44.

201 Gannon, 692 N.W.2d 31, 43.
Iowa’s Supreme Court has found a private entity to be performing a government function when the private entity and the government entity shared a “highly interwoven and symbiotic relationship.” If the City decided to model a CID program after other cities, this “highly interwoven” type of relationship would not exist between the City and a private entity. Some cities like Oakland and Richmond merely authorize the private entity that is administering the card to use the city’s name and trademark, and let the private organization handle the rest. In order to avoid any risk of disclosure, the City could avoid a “highly interwoven and symbiotic relationship” with a private organization by acting as other cities have.

**D. Local Law Enforcement Use of Community Identification Cards**

Officers in the Iowa City Police Department are concerned about three related issues that might arise if they were to use an Iowa City CID in the course of their work. First, they are concerned about using CIDs to identify an individual to obtain a search or arrest warrant. Second, there is some concern that if a CID is used to identify a person for such a warrant, and the CID upon which the police rely does not contain accurate identifying information, the wrong person could be arrested, which would expose the City to civil liability for false arrest. Third, and finally, they are concerned about the crime of identity theft and the possibility that an individual could steal another person’s identity documentation, fraudulently obtain a CID and/or counterfeit a CID, and then use that CID for criminal purposes. In this section, we briefly examine the state and federal legal standards governing the validity of search and arrest warrants. We then discuss the measures that other communities with CIDs have taken to ensure that CID information is accurate, to minimize the risk of reliance upon erroneous CID information in the course of law enforcement operations, and to combat identity theft and fraudulent use of CIDs.

First, no provision in the Iowa Code or Iowa Constitution requires an individual’s legal name must be included on the search warrant for it to be facially valid. The Iowa Constitution requires that all warrants must “particularly describe the place to be searched, and the persons and things to be seized.” While Iowa Code section 808.3 further instructs that an officer applying for a search warrant must “describe the person, place or thing . . . with sufficient specificity to enable an independent reasonable person with reasonable effort to ascertain and identify the person, place, or thing.” Neither one of these provisions require a legally accurate name must be included in a search warrant to be valid. Under Iowa law, an arrest warrant is facially valid even if the incorrect name is included therein. According to the Iowa Code provisions regulating arrests, a valid warrant does not have to include the correct legal name of the person to be arrested. Iowa Code section 804.1 provides that a court issuing an arrest

---

202 Id.

203 See infra Appendix E.

204 IOWA CONST. art. 8, § 8.

205 IOWA CODE § 804 (2013).
warrant must determine that “there is probable cause to believe an offense has been committed and a designated person has committed it.” While Iowa Code section 804.2 states that the warrant itself must “give the name of the defendant, if know to the magistrate; if unknown, may designate ‘name unknown. . . .’” Finally, the Supreme Court of Iowa has maintained the facial validity of an arrest warrant where the warrant included the wrong name.207

Under the Fourth Amendment of the U.S. Constitution and the matching Iowa Constitutional provision both require that a search warrant must “be sufficiently definite to enable the searcher to identify the persons, places, or things the magistrate has previously determined should be searched.” Under these standards, the officer executing the warrant must not have discretion in determining the scope of the warrant and the officer “must be able to reasonably ascertain and identify the places and things authorized to be searched” from the warrant.209 This requirement is meant to “minimize the risk that officers executing the search warrant will mistakenly search [a] person not intended by the issuing magistrate.”210 Under this standard, a search warrant may contain information that is technically incorrect but still valid under the Fourth Amendment.211 In practice, this means that a warrant that contains an incorrect name but otherwise describes the individual to be searched with accuracy is valid.212 The description of the individual must only be reasonable and officer surveillance and actual knowledge of the place or person to be searched are factors that mitigate a technical error on a warrant.213 Therefore, although the City would aim to ensure CIDs contained accurate information, if a CID did contain incorrect information, as long as the individual being detained and arrested was the individual sought by the authorities, a police officer could still rely on the CID to issue a valid search warrant.


207 Wilson v. Lapham, 195 N.W. 235, 238 (Iowa 1923).


211 United States v. Gitcho, 601 F.2d 369 (8th Cir. 1979)

212 Id. (finding a search warrant was valid under the Fourth Amendment despite listing the incorrect address of a premises to be searched); State v. Buchanan, 683 N.W.2d 126 (2004) (finding that a warrant to seize the blood of an individual was valid under the Fourth Amendment despite the fact that the wrong name was used on the warrant).

213 See id.
To minimize the possibility of local law enforcement reliance upon potentially erroneous CID data to arrest individuals, which might leave the municipality issuing the CID open to civil liability, each of the other communities that introduced a CID has also developed a clearly defined protocol for CID use in the course of law enforcement operations. The City of San Francisco, for example, requires its officers to accept the CID as a primary identity document unless they have reason to believe that the person holding the card is not the person identified in the card or they believe that the County Clerk issued the card inappropriately. The City of New Haven, in contrast, will accept CIDs as evidence of identity for victims or witnesses reporting crimes, but will not issue arrest warrants for individuals identified solely on the basis of information contained in their CIDs. If the City of Iowa City were to issue a CID or recognize a third-party issued CID the City would need to determine what protocol was most appropriate for its use. We note that in our interviews with representatives of other communities with CIDs we were not informed of any civil lawsuits brought against municipalities by individuals claiming false arrest on the basis of information contained in CID documentation.

Finally, as with any identification document, there is a risk that unscrupulous persons could attempt to obtain a CID by theft or fraud. Other communities that have introduced CIDs have taken measures to ensure that individuals cannot fraudulently obtain CIDs. In New Haven and Mercer County, for example, only a limited number of individuals are permitted to issue CIDs. Those individuals receive extensive training in identifying and examining identity documents from a variety of different countries and use an identity document “resource book” to verify the validity of such documents. When staff have doubts about the validity of foreign identity documents they err on the side of declining to issue CIDs. Other municipalities issuing CIDs have focused on the security of the CID card itself. For example, San Francisco uses custom proprietary software, secure cardstock, laser engraving, biometric scanning, and other covert and over security features to safeguard the integrity of its CID. If the City of Iowa City were to issue a CID, or to recognize a third-party issued CID, it could make such issuance or recognition contingent upon these or other security features being included in the card.

\[\text{\textsuperscript{214} See infra Appendix B.}\]

\[\text{\textsuperscript{215} See infra Appendix A.}\]

\[\text{\textsuperscript{216} See infra Appendix A, Appendix C.}\]

\[\text{\textsuperscript{217} See infra Appendix A, Appendix C.}\]

\[\text{\textsuperscript{218} See infra Appendix B.}\]
IX. Recommendations

First and foremost, we recommend that the City further investigate the demand and needs of the community. Our early survey results indicate that residents placed the highest importance on using a CID as a form of identification to present to police. Respondents then prioritized, in descending order of priority, the following potential benefits provided by a CID: access to medical services, creation of utility accounts, access bank or credit union services, access to pharmacy services, feeling part of the city, access to the homeless shelter, access to the Johnson County jail, paying for bus fare, accessing the library, and accessing recreation centers. However, as we previously mentioned, our survey sample was limited in scope. Therefore, we recommend that by accurately gauging the needs of the community, the City will be better able to ensure a CID program would meet the unique needs of Iowa City residents. For example, Oakland chose to emphasize the financial aspect of its CID because it had a significant unbanked population, while Mercer County chose to emphasize building trusting relationships between police and cardholders over access to financial institutions. San Francisco and New Haven have both attempted to provide for both access to financial institutions and public safety. Therefore, depending on the requirements of the City and the needs of the community, we recommend the following: (1) if the City wishes to maximize the services and benefits provided by a CID then the City itself should issue the card, (2) if the City wishes to prioritize the accessibility of the card to all local residents then it should recognize a non-profit issued CID, (3) if the City wishes to minimize its expenditures on a CID program then it should recognize a non-profit issued or for-profit issued card, and (4) if the City wishes to maximize the security of cardholder information and limit its potential liabilities then it may choose to recognize a non-profit-issued or for-profit-issued CID.

A. If the City Wishes to Maximize the Services and Benefits Provided by a Community Identification Card Then the City Itself Should Issue the Card

San Francisco has had the most success at securing a wide range of services and benefits through its CID program. Notably, six banks in the San Francisco area recognize the city’s CID as a primary form of identity documentation. San Francisco in part was able to secure the benefit of this service by directly including this requirement in its contracts with private banks. Through other negotiations, the city has ensured cardholders have access to discounts at local

\[219 \text{ See supra Part VI.C.}\]

\[220 \text{ See supra Part VII.C. Note where no resource is cited in this section, the information conveyed about the Oakland and Richmond programs derives from the information presented in Part VII.C of this Report.}\]

\[221 \text{ See supra Part VII.B. Note where no resource is cited in this section, the information conveyed about the Mercer County program derives from the information presented in Part VII.B of this Report.}\]

\[222 \text{ See supra Part VII.A. Note where no resource is cited in this section, the information conveyed about the New Haven and San Francisco programs derives from the information presented in Part VII.A of this Report.}\]
businesses. Also, because the city itself issues the CID, the city uses the card as a method to access city services such as the public library and recreation facilities. However, San Francisco’s program has come at an incredible expense. The city expended $828,000 at start-up and currently expends about $350,000 on its program annually.

New Haven has been able to achieve almost as much functionality for its card as San Francisco but with fewer costs. As part of the implementation process, New Haven worked with a local bankers association to help ensure financial institutions would trust the CID. Currently, cardholders can use their CIDs to open bank accounts at one local bank. The city also uses its CID to provide access to recreation facilities and library services. In contrast to San Francisco, New Haven was able to achieve these goals without expending general fund money. Instead, New Haven relied on philanthropy and grants.

Ultimately, the lesson learned from these two programs is that the cities’ active engagement in working with financial institutions ensured their CID programs would provide cardholders with access to financial institutions. All cities surveyed for this Report noted that an active community is essential to keeping any program like this going. However, San Francisco and New Haven demonstrate that city governments’ engagement is key to ensuring a CID provides a wide-range of services and benefits to cardholders.

**B. If the City Wishes to Prioritize All Local Residents Having Access to a Community Identification Card Then it Should Recognize a Non-Profit Issued Card**

The CID program in Mercer County, New Jersey, is the only CID program surveyed for this Report that will issue a CID to a community member who has no other official documentation of identity. Local City and County authorities recognize the CID (along with other official identity documents) for the purposes of accessing local government services. The non-profit issuing the card will accept a letter on official letterhead from a social service organization, faith-based organization, or hospital as proof of identity. This practice ensures that the most vulnerable populations have access to the card—most notably homeless residents.

This standard is a stark contrast to the identification requirements of the other cities surveyed for this Report. San Francisco and New Haven require some other form of identity documentation to issue a CID and will not accept affidavits from social services organizations. Oakland and Richmond have the highest documentation requirements for issuing debit CIDs. Critics of the Oakland CID have noted that it has failed to provide community members with an accessible form of identification because it has overemphasized the financial aspect of the card which requires applicants present a higher level of documentation.

The Mercer County CID program does not ensure access to financial institutions as a primary form of identification. The non-profit issuing the card worked with local banks to ensure the CID would function as a secondary form of identification but was unable to get local
borders to recognize the CID as a primary form of identification. Of course, if the City worked with local financial institutions to ensure cardholder access to services, a non-profit-issued CID in Iowa City could potentially overcome this shortcoming.

The Mercer County CID program also offers the advantage of countywide recognition. The card was first launched and recognized by the City of Trenton and then expanded to the wider local community, which could provide a useful, scalable model for the broader Iowa City/Coralville/North Liberty community in Johnson County.

C. If the City Wishes to Minimize Expenditures Then it Should Recognize a Non-Profit- or For-Profit-Issued Card

Both the non-profit-issued and for-profit-issued CID program models would require very few expenditures from the City. The CID in Mercer County, the only non-profit-issued CID discussed in this report, is entirely self-sustaining and requires no support from the city or county governments that recognize it. This program runs entirely on application fees and volunteer support. In Oakland, the CID program is run almost entirely by SF Global, a for-profit provider, and the city does not need to expend any funds to issue the card. However, there is some indication that prior to issuing the card in Oakland, city staff expended a significant amount of time on negotiating a contract with SF Global and preparing to implement the program. Either way, these two options will minimize City expenditures.

D. If the City Wishes to Maximize the Security of Cardholders’ Information Then it May Chose to Recognize a Community Identification Card from a Non-Profit or For-Profit Provider

No CID program surveyed for this report has yet had any difficulty safeguarding cardholder information. To preemptively protect information, cities such as San Francisco only keep a limited amount of cardholder information saved on city databases. However, San Francisco has not had any requests for cardholder information to date. New Haven did face a request for cardholder information from the federal government but was able to defend against this request and was successful in protecting cardholder information.

According to our analysis, under federal laws, the City should be able to protect cardholder information it keeps on file so long as it does not record immigration-related information. Under Iowa’s law governing open records requests, the City should also be able to safeguard cardholders’ information it has on file because that information falls into a category of information that is not accessible for request. Namely, the applicants for a CID would be providing information to the City that they otherwise would not be required to do so by law and might not otherwise share with the City if they knew it would be available via an open records request. Therefore, cardholders’ information held by the City would not be available for public inspection under federal law or Iowa law.
However, CID programs provided by non-profit or for-profit providers can add another layer of protection to cardholder information. Under Iowa’s law governing open records requests, information held by a private actor is not available for public inspection. Additionally, the information held by a non-profit or for-profit entity would not fall into a special category of information held by private actors that is nonetheless open to public inspection. Therefore, if the City wishes to maximize the security of cardholder’s information to the highest possible levels, it may chose to recognize a card issued by a non-profit or for-profit provider.
1. What were the costs associated with initiating your municipal ID program?
   • Any questions regarding costs should be directed to Lisa Wilson with the Office of Vital Statistics. Contact phone number: 203-946-8085.
   • Ms. Nieves Winn was in the Vital Statistics office from 2007-2010.

2. What is the overall maintenance cost of continuing to run the ID program?

3. How is your program funded? At start up? Continuing costs?
   • Not through general funds. Outside sources gave them the money to get off the ground. They solicited to get grants, it was done through philanthropy.

4. Do you have staff dedicated to this project? At implementation? Now?
   • Yes. It is all handled by the Office of Vital Statistics.

5. What software do you use to create the cards? What was the cost of the software? Are there ongoing licensing costs?
   • Software Higgins
   • Contact Kathleen Agid at 203-268-5124 for more information about the software.

6. How are your cards printed? What was the cost of the printer? Maintenance costs for the printer?
   • Printed on site.
   • Background: they would print in the office, mail it to the applicant (just to verify their address). Proof of residency and documents. They had to confirm their address within 30 days.
     o Mobile units were used to go out into the community. They would bring laptops and portable equipment, then come back and run it in the office.
     o They did ID at high schools also:
       ▪ Card would be scanned at the schools using a wand that would bring up their schedule. It was for attendance and to know where they were supposed to be, if they were suspended from school. It was also used in after school programs to make sure they were attended. She did 5 high schools there.

Questionnaire conducted by Jordan Moody via telephone with Ms. Ana Nieves Winn of New Haven, Connecticut, on October 9, 2013.
They of course also did the Elm City ID card.

7. What are the safety precautions you have taken to make sure no one can counterfeit the ID?
   • **It has an embedded ultraviolet light holograms that are invisible to the eye.**

8. Do you keep a database of information containing the cardholder’s information? If so, how do you store this information?
   • **The only thing they have is the information on the card. They don’t keep any personal information. They didn’t keep copies of anything.**

9. Has the federal government sought to obtain any of this information you have on file?
   • **They have had at one point (can find online) they had a group protesting outside and were making it intimidating, but they overcame that.**
   • **They tried to take them to court, but they won. It was a FOIA issue.**
   • **We can ask Ms. Wilson or the office of court council Victor Bolden at 203-946-7951. The suit was brought by a private citizen, last name Pechinski, who tried to stop the progress of the program.**
   • **The person representing the city is Cathlene Foster at 203-946-7971.**

10. How many ID cards has your city issued?
    • **When it started in 2007, their goal was to reach 5,000 cards issued. They surpassed that goal in 3 months. She’s not sure now, but when she left in 2007, it was over 10,000.**

11. Do you have any statistics on the demographics of the people who have obtained the community ID card?
    • **No. Ms. Wilson might.**

12. What information does an applicant have to present to obtain an ID card?
    • **Need two forms of photo ID and proof of residency.**
      • **Photo ID can be from country, passport, consulate card, etc.**

13. Have there been any issues with people not being able to obtain a card because they could not produce the required documentation?
• Absolutely. When she started, a lot of people didn’t have documentation, and tried to obtain the card. They were strict on that. So they instruct applicants that they would have to go have it requested from where they were from or have a family member send it to them.

14. What is the process to obtain a card?

• Show proof of residency within 30 days from the time you came in.
• They mailed it to the address they told them.
• They did walk-ins.

15. Has your city had any issues with individuals obtaining an ID by presenting false information? What were these issues?

• In the beginning they tried, but it wasn’t successful because they were trained.
• They had consulates come in and give them training on the way their country’s identification cards were like. They also trained them on what to look for as indications of authenticity, and what they would need to look for to catch fraudulent cards.
• They also had a book of the countries and what their ID looked like.
  o Name of book, Ms. Wilson can tell us.
• They have, for example, picked up on forged birth certificates, etc.

16. How did your community react to the creation of your ID program?

• Advocates: Lines out the door and around the block. It has been very successful.
• Opponents: Some were against helping immigrants. They had calls to the office, good and bad, expressing their thoughts on the program. Overall it was a success.

17. Does your police department have a policy on file that directs police in their interactions with undocumented immigrants?

• With police, as long as they had the ID, they would not be asked if they were undocumented. It was used for their protection, and this was to encourage interaction with police.

18. Do banking institutions in your community accept the ID card as a valid form of identification? Did the city or issuing authority reaching out to the banks?

• Bank of America was using it as a secondary form of ID to open an account.
• Star Community Bank accepts it as primary.
• 3 other banks (Wilson).

19. What have been some of the major successes of your ID card program?

• People open bank account and are not targeted for robberies.
• People feel safe reporting crime to police.
• It gives a feeling of belonging because it gives access to library. Also given to load money to use at parking meter of garage.
• Subway, jimmy hip hop, several doctors, optometrists (she did a lot of marketing), furniture, chiropractors, driving schools, restaurants, laundromats, car dealership (used ID to get discount, like 500 off used, 100 new car).
  o She went out and these companies would give a 10 percent discount.
• Access to parks, city golf course, city dump.
• The card also contains emergency contacts and allergies, this is especially good for kids.

20. What have been some of the issues that came up after implementation that you did not foresee?

• Did not have any issues that became anything substantial.
APPENDIX B: SAN FRANCISCO QUESTIONNAIRE AND RESPONSES

1. How was your community ID initiative started?
   • Community-based organization and advocacy. County Supervisor sponsored local ordinance.

2. What were the costs associated with initiating your municipal ID program?
   • Total cost of $828,000, including hardware, software, professional services, initial supply of cards, licensing, first year staffing, and maintenance.

3. What is the overall maintenance cost of continuing to run the ID program?
   • Annual budget for ID card program is $350,000


5. Do you have staff dedicated to this project? No. At implementation? No. Now? 2 staff dedicated to processing applications and printing ID cards.

6. What software do you use to create the cards? Customized proprietary software. What was the cost of the software? Approx. $60,000. Are there ongoing licensing costs? Yes.

7. How are your cards printed? Card stock is secure printed. Personal information and photo are laser engraved. What was the cost of the printer? $140,000 Maintenance costs for the printer? $2,500 as needed service.

8. What are the safety precautions you have taken to make sure no one can counterfeit the ID?
   • Covert and overt security features on ID card, biometric scanner, and laser engraving.

9. Do you keep a database of information containing the cardholder’s information? Yes, limited information. If so, how do you store this information? On a dedicated server.

10. Has the federal government sought to obtain any of this information you have on file?
    • No.

---

224 Questionnaire conducted by Jordan Moody via email with Jennifer Hong Yee, Director of the San Francisco County Clerk’s Office on October 11, 2013.
11. If so, what was your response? How did that resolve? Do you have a policy on file to address this scenario if it arises?

12. How many ID cards has your city issued?
   
   • 19,000

13. Do you have any statistics on the demographics of the people who have obtained the community ID card?
   
   • No.

14. What information does an applicant have to present to obtain an ID card?
   
   • See website.

15. Have there been any issues with people not being able to obtain a card because they could not produce the required documentation?
   
   • Yes.

16. What is the process to obtain a card?
   
   • Make an appointment, arrive promptly for appointment, present acceptable proof of identity document(s), and proof of SF residency document(s), take photo, capture digital signature, verify ID card produced is accurate, and pay fee.

17. Has your city had any issues with individuals obtaining an ID by presenting false information?
   
   • No.

18. How did your community react to the creation of your ID program?
   
   • Advocates: Supportive. Understood that not every person will be able to meet the requirements for the ID card.
   
   • Opponents: None.

19. Does your local police department accept your ID as a valid form of identification?
• By law, the SFPD is required to accept City ID card as primary proof of identity unless 1) they believe the person holding card is not person identified in card, or 2) they believe the County Clerk issued the ID card inappropriately.

20. Does your police department have a policy on file which directs police in their interactions with undocumented immigrants?

• Our office does not prescribe policy for undocumented immigrants.

21. Do banking institutions in your community accept the ID card as a valid form of identification?

• Some financial institutions participating in “Bank on SF” accept as a form of ID.

22. Did the city or issuing authority reach out to the banks?

• Yes. During project scoping, several sessions with financial institutions and the SF Treasurer were held.

23. What have been some of the major successes of your ID card program?

• ID card program has been operating since January 15, 2009. There have been no legal or other challenges to the program. Card has not been counterfeited. Program and system prevents persons attempting to apply for multiple IDs under different names.

24. What have been some of the issues that came up after implementation that you did not foresee?

• None.
1. Please tell me more about how LALDEF created the Tremendously Trenton Coalition (TTC) to initially issue the Trenton community identification card. What groups were the initial founders of the organization? How do they work together to issue the Trenton community ID?

In 2008, we spearheaded the creation of the TTC, a partnership of faith-based, civic, and municipal organizations with the dual purpose of serving as a catalyst for the integration and acceptance of immigrants in the city, and of developing emerging immigrant leaders. (See list below for organizations). The Community Photo ID Card Program was launched in Trenton in 2009, in order to strengthen ties among residents of Trenton, and allow members of certain traditionally excluded populations to acquire a photo ID which allows access to basic services and facilitates the work of emergency responders when encountering victims of accident or crime. Those who benefit from this ID include the homeless, immigrants, teenagers, the elderly, low income families and anyone who has had difficulty obtaining a photo ID though other means. Furthermore, the photo ID imparts on them symbolic recognition as members of the community. The initial idea came from a similar project developed in Asbury Park. The coalition members had been working closely with the Trenton PD previous to this project, to help educate and establish communications with the immigrant community, so this project was a natural transition.

2. Did TTC work with city officials at the initiation of the Trenton community ID program? How so?

Yes; obtaining official recognition from the Trenton Police Department was vital to the success and credibility of the Community ID Card. The Trenton Police Department assisted us in setting up a formal protocol to verify an applicant’s identity and residence, and the documentation that we could accept. Their recognition of the value of the card in fostering community policing, and their support from the beginning of the project eased the way for other law enforcement agencies to accept the card. We recommend that securing buy-in from the local police department be the first step for any organization looking to duplicate the Community ID model.

3. What were the costs associated with initiating the Trenton community ID program?

The initial expenses of the program were a set of donated, used laptops, ID making software, ID printer, blank cards and ribbon cartridges; all together approximately $2,000. We recouped our investment within a month, charging $10 a card. This is a self-financed project.

---

225 Questionnaire conducted by Erin Fleck via email with Maria Juega, Executive Director of the Latin American Legal Defense and Education Fund on October 18, 2013.
4. What is the overall maintenance cost of continuing to run the Trenton community ID program?

To satisfy the demand, we purchased 2 additional laptops and more used laptops printers at a cost of a little over $3,500. Blank cards, ribbon cartridges and occasional maintenance are the only ongoing expenses to maintain the program, which are covered by the cost of the ID cards; $10 for adults and $5 for minors. We spend about $70 on each ribbon cartridge (200 cards x cartridge approx..), and $40 for 500 blank cards. We are able to maintain our cost down due to a committed group of volunteers who give their time and skills to issue the Community ID Cards. The life of our printers may be coming to an end, after 4 years of use, and we may have to start replacing them.

5. How was your program funded at its inception and what were the start-up costs?

The program was initially funded from LALDEF cash reserve. See answer for Q3 regarding start-up cost.

6. What are the costs to continue running the program?

See answer for Q4.

7. Do you have staff dedicated to this project—either at implementation or now?

As mentioned above, our program is run by a group of dedicated volunteers, however the Executive Director or Program Manager are often on site when the Community ID Cards are issued in case of any questions or doubts.

8. What software do you use to create the cards?

CardFive Vision is the computer software that we use.

9. What was the cost of the software and are there ongoing licensing costs?

The software was $400, with no ongoing licensing cost.

10. How are your cards printed?

We use the Fargo C30e photo ID printer to print cards (now discontinued).

11. What was the cost of the printer and are there ongoing maintenance costs for the printer?
The retail cost of ID printers is between $1,000 to $3,000, and typically come with a one or two-year service plan/warranty. Repairs after the warranty runs out can cost $200-$500.

12. What are the safety precautions you have taken to make sure no one can counterfeit the community ID?

Only a handful of people who are authorized to issue the ID have access to our Community ID Card template. There is no real threat that the Community ID Card will be counterfeited; if someone is going to go through the trouble of falsifying documents it will be for something recognized across the state or country.

13. Do you keep a database of information containing the cardholder’s information? If so, how do you store this information?

The only information we maintain from cardholders is basic non-personal information for the purpose of statistical reports, which does not include their photograph, name, date of birth, address, height, weight, medical information or emergency contact. The information is kept with all of our client’s information in our password secured database in our main office.

14. Has the federal government or any other group sought to obtain any of this information you have on file?

No.

15. If so, what was your response? How did that resolve? Do you have a policy on file to address this scenario if it arises?

All volunteers and staff have signed a confidentiality agreement which prohibits the sharing of any information acquired by our office to anyone or any other agency, unless authorized by the Executive Director or Board of Trustees of LALDEF. Furthermore, if anyone involved (past or present) is subpoenaed they are required to notify the Executive Director or Board of Trustees of LALDEF in writing, along with a copy of the subpoena received, per the confidentiality agreement.

16. How many community ID cards have been issued to date?

More than 5,500 Community ID Cards have been issued to date.

17. Do you have any statistics on the demographics of the people who have obtained the community ID card?
Yes; The Community ID Card has been issued to immigrants of more than 30 different countries, across all continents. Approximately one of every 10 applicants is U.S.-born. Majority of applicants are between the ages of 26 to 35. Overall, the Community ID Card has been obtained by more men than women.

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 13 years</td>
<td>1.8%</td>
</tr>
<tr>
<td>14-18 years</td>
<td>2.0%</td>
</tr>
<tr>
<td>19-25 years</td>
<td>15.2%</td>
</tr>
<tr>
<td>26-35 years</td>
<td>39.6%</td>
</tr>
<tr>
<td>36-45 years</td>
<td>22.9%</td>
</tr>
<tr>
<td>46-55 years</td>
<td>12.9%</td>
</tr>
<tr>
<td>56-65 years</td>
<td>3.8%</td>
</tr>
<tr>
<td>66-75 years</td>
<td>1.1%</td>
</tr>
<tr>
<td>&gt; 75 years</td>
<td>0.4%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>62%</td>
</tr>
<tr>
<td>Female</td>
<td>38%</td>
</tr>
</tbody>
</table>

18. Have there been any issues with people not being able to obtain a card because they could not satisfy the documentary requirements?

Yes, this is most common with the homeless population, although on occasion we have residents who have lost or have had all their identification stolen. In such cases, we accept affidavits from faith-based and social organizations, as well as hospitals. We require the affidavits to be on letterhead, with the applicant’s name, date of birth, and address as it appears on their records.

19. Has your city had any issues with individuals obtaining a community ID by presenting false information to the issuing entity? What were these issues?

We rarely deal with applicants who present false documentation. To ensure that documentation that is being presented is true we have two resource books to every international and out of state identification, along with an ultraviolet-light pen to identify security features. When we do detect a questionable ID we politely decline to issue the card, and ask the applicant to come back with alternate documentation.

20. How did your community react to the creation of your community ID program?

a. Advocates:
The Community ID Card extends acceptance to traditionally marginalized population to the general community;

• Allows access to basic municipal, social and health services;

• It builds trust between community and law enforcement; and

• Emergency respondents have contact information for anyone who requires assistance and cannot speak for themselves due to injury or language barrier.

b. Opponents:

• The Community ID Card encourages undocumented people to remain the community; and

• It interferes with federal immigration policy.

21. From what I have read, I know the Trenton Police Department and other city police departments in Mercer County accept these community identification cards as valid. Can you please tell me about the process of bringing this about?

We initially issued the card under the brand name "The Trenton Community ID Card". After a year, we had issued more than 1,000 cards without incident, we proposed to do the same in Princeton, where the local police and municipal authorities were very supportive. In 2010 we started talking to other police departments in the county, who were able to verify our track record in Trenton and Princeton and also thought the card would be useful in their respective jurisdictions, so we re-launched the card under the current brand name "The Mercer County Area Community ID Card."

Did TTC work with the Trenton Police Department from the inception of the card?

See answer to Q2.

How did the use of the ID card spread to other city police departments?

See above.

22. Does the Trenton police department have a policy on file which directs police in their interactions with residents to ensure all persons including undocumented immigrants feel safe contacting the police for assistance?

Yes, former Mayor Doug Palmer issued an Executive Order to that effect in 2009. It is our understanding that Trenton police officials are under orders not to ask residents about their immigration status, unless it is in connection with a felony. Furthermore, the police department’s recognition of the Community ID Card shows a level of commitment and recognition by the police of the immigrant community, encouraging
trust in police officers and reporting of crimes that they have been a victim of or have witnessed.

23. Do banking institutions in your community accept the ID card as a valid form of identification? If so, how did this come about?

Yes, but only as a secondary form of identification. This collaboration came about through meeting with local banks to explain the Community ID Card program, our protocol to ensure that the information is accurate, and that this was a program that benefited everyone, including the banks.

24. What have been some of the major successes of your ID card program?

The ability to extend the Community ID Card outside of Trenton to the Mercer County area, it is now recognized by the Offices of the Mercer County Sheriff and Prosecutor, as well as four other police departments, aside from Trenton.

The reason the program has been running for as long as it has, and expanded to a county level is the real need for it. However, this is not something that we are particularly pleased about as it signals that there is a large marginalized population.

25. What have been some of the issues that came up after implementation that you did not foresee?

We were initially overwhelmed by the demand. Had to turn people away and create a waitlist that reached over 400 people. We now are able to deal with a steady flow of applicants in our two locations which number between 80-100 people a month. We have also partnered with a local church which issues the cards in a third location, once a month. We are still unable to completely address requests from the Hightstown/East Windsor area of the county, where we go 3 or 4 times a year to issue cards at a church or the public library.
TREMENDOUSLY TRENTON COALITION:

CHANGE – Committee for Hispanic & Immigrant Students
Colombian Civic Association
Costa Rican Civic Association
CVS Pharmacies
Dominican Civic Association
Ecuadorian Civic Association
Guatemalan Civic Association
Hispanic Parade of Mercer County
Iglesia Pentecostal Asamblea de Dios
La Casita Legal Services
Latino Merchants Association
Living Hope Church
Liberian Community Association of Central NJ
Mercer County Hispanic Association (MECHA)
Mercer County Prosecutor’s Office
Mercer County Sheriff’s Office
Mexican Civic Association
St. Joseph’s RC Church
Trenton Fire Department
Trenton Police Department
Trenton Public Schools
Westminster Presbyterian Church
APPENDIX D: RICHMOND QUESTIONNAIRE AND RESPONSES

1. First, I have emailed Oakland and haven’t heard back, is there a contact in Oakland that you know of whose information you can pass to me?
   - Contact information will be emailed. She will do an introductory email.

2. To be clear, any software, printing, administering costs, etc.
   - That is all done by SF Global. She will pass their contact information.

3. How was your community ID initiative started, before City Council signed off on it?
   - Community groups were interested, this happened years ago and residents started getting behind the idea.
   - Mayor’s assistant would know the beginnings of the program. Contact said she’ll do an introductory email for her too.
   - She believes it was a group that formed over the issue. They brought the issue to the mayor and council member, who in turn sponsored the proposition.

4. Why did you choose to go with a 3rd party vendor?
   - Because city council wanted a 3rd party administrator from the beginning. One of the city’s major requirements was that that there would be no cost to the city. Contact was aware that San Francisco does it themselves, and it costs them a lot of money. Private information would be more protected.
   - Contact said that the cost is a major benefit of going with a 3rd party vendor. She said that they had learned from San Francisco’s high cost to start and run their program. They wanted someone else to take the cost.
   - They felt that having a 3rd party handling the program also lowered potential liabilities for the city.
   - Public records requests would be avoided if they went through a private vendor.
   - The card can also function as a pre-paid credit card. The debt card function was only possible with a 3rd party’s assistance. One of their major priorities was to help the unbanked. To have that, they needed someone working with a bank.
   - SF Global (the 3rd party vendor they chose) has been around for a while and they were around before they brought this idea to the table.
   - SF Global is still relatively small. They have just two clients in the U.S. - Richmond and Oakland.

---

226 Questionnaire conducted by Jordan Moody via telephone with LaShonda Wilson, Management Analyst in the Office of the City Manager of Richmond, California, on October 15, 2013.
• Client also mentioned that she received phone calls from Homestead, FL. They actually did a visit to hear about the program. She also said that the city of Los Angeles looking at their methods.
  o She can put me in contact with SF Global.
  o SF Global’s goal is for a lot of other cities to do this and to expand their influence in the financial market.
• She will put me in contact with:
  o Arturo Sanchez of Oakland.
  o Nicole Valentino at mayor’s office in Richmond,
  o Paula Takash of SF Global.

5. What are the safety precautions you have taken to make sure no one can counterfeit the ID?

• Answered on city’s website. Ordinance § 2.64.090 Counterfeit and Fraudulent Cards.

6. Do you keep a database of information containing the cardholder’s information? If so, how do you store this information?

• Answered on city’s website. Ordinance Section 4 Third party Administrator Selection § (B)

7. Has the federal government sought to obtain any of this information you have on file even though they are only with banks?

• She said that was not an issue for them because they are going through a 3rd party private vendor.
• Their police understand the city is a sanctuary city, “maybe not technically, but they function as one.”
• It is a bank that is issuing the actual card. They are the ones who have the information, and ICE can’t get bank information.
• Their police have the basic information that has gone into a database that is made available by the third party. The police only use it to access basic information just to verify who they are, and that they are who the card says they are.
• Privacy has been a concern for people in Richmond, which is why they set it up this way.
• They don’t have their own database, they just have to access a database hold by a 3rd party vendor.
• It’s not just for the undocumented, there are other groups that are unbanked and this rules out the risk of a general information request based on criminal activity.
• They are also trying to connect to local merchants to get a 5% discount with use of the card.
• In the Contract with SF, it states that SF Global will reimburse their city employees for time spent on the card (after the contract entered into).
• City isn’t making any money SF makes all the revenue and bears the expenses.
• Even phone calls like this will be reimbursed by SF Global when the program is running. For the time being, she is working for the city. The contract is planned to be final before the end of this year.

8. How many ID cards has your city issued?

• None yet. They started with Oakland’s contract. They based their resolution modeled on the resolution passed in Oakland. They are hoping for the contract to be final by November 1, 2013, then SF Global requires 60-90 days to get things going. They are looking to issue their first card in January or February of 2014. City Council started this whole process in 2011.

9. Do you have any statistics on the demographics of the people who have obtained the community ID card?

• That’s all SF Global. We don’t know.

10. What information does an applicant have to present to obtain an ID card?

• Answered on city’s website. Ordinance § 2.64.030 Applications

11. What is the process to obtain a card?

• Answered on the slide presentation on their website.

12. How did your community react to the creation of your ID program?

• Advocates: There are a lot of people, unquestionably the majority, that support the program here.

• Opponents: She hadn’t heard of anyone. One council meeting, there were a few concerned that we were giving ID to undocumented, they had their opinions about helping undocumented people, this was a very small number. The proposition was unanimously passed by city council.

13. Does your local police department accept your ID as a valid form of identification?
14. Does your police department have a policy on file which directs police in their interactions with undocumented immigrants?

- Answered on city’s website. Ordinance Section 4 Third party Administrator Selection § (B)

15. Do banking institutions in your community accept the ID card as a valid form of identification? Did the city or issuing authority reach out to the banks?

- It is a MasterCard. You can choose to activate the prepaid debit portion, but you don’t have to. Cardholders then have to put money on their account. There are fees there, and that is where SF is making some of their money. They can do direct deposit with their work. They can use the card anywhere MasterCard is accepted. Members of the community are used to paying a small check-cashing fee on all of their checks, this will help them avoid that extra cost. This makes them less vulnerable to robbery also.

16. What have been some of the major successes of your ID card program?

- It has been great that the council and the mayor heard the voice of the community that they heard what was of interest to the community. They saw a need, and they are meeting it.
- Also, they are very happy with their execution of their contract. It was great that the city made sure that a variety of people from the city were present. Police, IT, Library, recreation, finance. All these people making sure we’re taking everything under consideration. The collaboration on the city level has been great.

17. What have been some of the issues that came up after implementation that you did not foresee?

- Takes so long. It has taken year to get to where they are now. They have been learning along the way and it is taking time. Realistically, they could have shaved months off of the time it has taken maybe, but it took the time that it takes to do it right.
- For us, if we decided to go to SF Global, the contract will be tighter and it will be easier to take the contract and just make small tweaks. She was confident that we would not have to go through the whole process they did. Now other cities will have examples of what implementation requires. She also mentioned that SF Global will learn how to work with city more efficiently.
• But yes, the time it has taken is frustrating some residents.
APPENDIX E: OAKLAND QUESTIONNAIRE AND RESPONSES

1. How was your community ID initiative started?

   • In 2008, city council was interested in starting a program like other cities had done that addressed the needs for the undocumented population. The need mostly arose from them being a “sanctuary city” and seeking to help build rapport and a bridge of trust between police department and the undocumented community. From there, they decided they wanted to do a program, but the city couldn’t afford it (estimated $2.5 million and half a million in costs every year after that). They then decided to do an RFQ for a 3rd party vendor. A local debit card with identification capabilities was proposed because of the well-known issue of excess money lack of safety for the unbanked.

2. Why did you choose to go with a 3rd party vendor?

   • It was the only way to do it for us. Cost was the major driver, and we also knew that many didn’t have banking abilities. City council wanted banking because of unbanked. In Oakland, there is a predominantly African American community that does not have access to any traditional banks. They were paying a lot of money to cash their checks and have access to their money. We saw that a third party vendor would solve all of these problems with one card.

3. What can you tell us about SF Global as a company?

   • We found them through an RFQ. They bid against one other company, and we were their first client in the U.S. They have been good partners, they meet frequently to talk about the program and reducing fees which is a goal of the administration. We have a good partnership with them. Their office is right across the street so we are able to meet often.

   • The downsides have been that people have been disappointed with the long process and the fees were also higher than they wanted them to be. But along the way, they have dealt with the hiccups well. The one major issue is the relatively high fees, but that is being fixed as more people get the cards and the fees are decreased. Richmond is their second client here, and they should have a smoother ride than we have.

4. Have there been any legal challenges to your ID program?

   • No.

---

227 Questionnaire conducted by Jordan Moody via telephone with Arturo Sanchez, Assistant City Administrator, Oakland, California, on November 11, 2013.
5. If so, what was your response? How did that resolve? Do you have a policy on file to address this scenario if it arises?

- Because they aren’t managing the card, all we did was licensing out our name and logo, our image and name to SF Global, and as part of that licensing agreement, they had indemnify the city of liability. This is a common practice if one side licenses out a name, then the other side will defend your name.

6. How many ID cards has your city issued?

- At this point 4,900.

7. Do you have any statistics on the demographics of the people who have obtained the community ID card?

- We have generic statistics, age, area they live in, no demographics. They are signing up for a banking service and it’s protected.
- Surveys have been mostly focused on age, gender, area, etc. for marketing purposes.

8. How did your community react to the creation of your ID program?

- Advocates:
  - They wanted the program more accessible and for it to be rolled out faster. Identification has to be verified and that is frustrating to some people because they don’t always have access to that kind of documentation. They need IDs, and some people don’t have them. This is by ordinance, but also baking law, so there isn’t really a way around that.

- Opponents:
  - There haven’t been many against it.

9. Does your local police department accept your ID as a valid form of identification?

- Yes

10. Does your police department have a policy on file that directs police in their interactions with undocumented immigrants?
• They are a sanctuary city. Law enforcement recognizes the card for identification purposes.

11. What have been some of the major successes of your ID card program?

• 4,900 is a great number to hit. Our goal was 5,000 at this point for the first year, but we really expected that they would have just 3,500, so this has been a great number to hit for us.
• Use of the card has been good. Highest volume user is an older African American man (they thought it would be immigrants that used them the most). That means there are a subset of people with this need that we didn’t anticipate, and that was a good surprise for us.

12. What have been some of the issues that came up after implementation that you did not foresee?

• High fees.
• Marketing is slow with the city, this needs to improve. We need to do publications, posters, radio, getting information out there. No trainings done yet.

13. Is there anything we haven’t covered that you think would be helpful for us?

• You need a strong licensing agreement with third party if that’s the path you choose.
• The contract should also include an agreement to lower the fees as you go along as your increase users.
• You also need to put in place an effective problem-solving policy and procedure that dictates who is the decision maker.
• Also, make sure that in the agreement, you have authority as a city to approve or disapprove marketing materials.
APPENDIX F: SF GLOBAL MEMORANDUM

To: Professor Elias  
From: Jordan Moody  
Date: 10/28/2013  
Re: Interview with Paula Cruz Takash of SF Global on October 25, 2013

Dr. Cruz Takash is a UCLA research developer who then started SF Global outside the university. SF Global is the third party vendor for Oakland, CA. Oakland is SF Global’s first client in the U.S.

Doing this kind of work (like the work they do with Oakland) requires checking of documents. Normally, banks don’t want to do this, and that is where a company like SF Global comes in.

Dr. Cruz Takash is also a city commissioner of Los Angeles, and the President of the HR division of Los Angeles. She was also put in charge of the ID taskforce for Los Angeles.

Dr. Cruz Takash asked if we had active community groups that wanted a community ID to happen. She said that, based on what she has seen in other cities, it is extremely important that community groups, churches, and small businesses stay involved. She said that a city can often times not sustain the pressure that these programs require, and that they need help from community groups.

She has a lot of information she wants to send us. Then we can pull out documents that they will find useful. Some will be dated.

She said that SF Global have clients internationally. They focus on low cost banking. They work with micro banks. Oakland city is the domestic application of their business model. Oakland currently has 4,000 applications for IDs being processed.

She asked what we knew about information requests in Iowa. I told her a short version of what we knew. She shared that FOIA request largely failed in New Haven because, based on evidence, the court found that a granted FOIA would have put the applicants in danger.

To combat information requests, SF Global marries the ID card to a banking product. A prepaid debt card, by marrying to a banking product (FDIC secured banks), it comes under federal banking regulation. Applicant’s information is not accessible because of the 1978 Financial Privacy Act.

Information Dr. Cruz Takash may send via email for further investigation:

They do presentations to cities and organizations. She will send FAQ and responses.

---

228 This Memorandum is the result of Jordan Moody’s interview with Paula Cruz Takash of SF Global on October 25, 2013.
Robert (couldn’t remember last name at the moment, but said it was likely Professor Elias’s Clinical Professor) went to UC Irvine and there did research on liability to the city. This research was done by UC Irvine and was given to the city of Richmond. The report was presented to Richmond city council. She has all of that documentation and will send it.

A diagram that shows specific security features. It’s also a MasterCard which has a hologram that is near impossible to duplicate. There is also a section where community groups prepared PowerPoints.

What the actual fees are included. More clients will drive the prices down. Financial services offered by the card are optional for card holders. Even if financial services are not used, applicants are still protected under the privacy act provision.

A report answering “How do you support the ongoing program?” They included a Pew report following the unbanked. 52 of most popular prepaid cards. They took that comparison and then compared their pricing that is part of this information.

Also has news articles that show how to use community groups. They have the materials that Richmond used. Groups in Richmond formed a coalition and sent out members to go talk to PD, city officials, etc.

Staff reports to city council Richmond, Oakland, Los Angeles.

Richmond and Oakland went through an ordinance adoption. LA went through a committee, then put it before the council, so it didn’t go through the resolution ordinance process. LA had to do this because of public backlash.
APPENDIX G: EXAMPLE OF COMMUNITY IDENTIFICATION CARD SURVEY

Community Identification Card Survey

A community identification card is a card issued by or recognized by a local government entity like a city or a county. It is not used as a driver’s license or as documentation used to vote. A community identification card identifies the cardholder as a member of the community. The cardholder can then potentially use the card to access to services in the community regardless of immigration status or age.

1. The community identification card could hopefully provide numerous benefits to the community. Please rank the importance of the following potential benefits and services a community identification card might provide:

   a. Using it as a form of identification used to access pharmacy services including behind the counter medicines:

      1.) Not important  2.) Important  3.) Very Important

   b. Using it as a form of identification used to access medical services or emergency room services:

      1.) Not important  2.) Important  3.) Very Important

   c. Using it as a form of identification used to set up utility accounts with the City of Iowa City or other provider:

      1.) Not important  2.) Important  3.) Very Important

   d. Feeling part of the city and part of the downtown:

      1.) Not important  2.) Important  3.) Very Important

   e. Using it to present as an acceptable form of identification to law enforcement:

      1.) Not important  2.) Important  3.) Very Important

   f. Using it as a form of identification used for visiting persons held in the county jail:

229 Please note that questions 1(f) and 1(g) were switched in the Spanish language translation of the survey. In the Spanish language version of the survey, the question about bank access was question 1(f) and the question about
1. Not important 2. Important 3. Very Important

g. Using it as a form of identification used to access bank or credit union services such as opening an account:
   1.) Not important 2.) Important 3.) Very Important

h. Using it as a form of identification used to access the homeless shelter:
   1.) Not important 2.) Important 3.) Very Important

i. Using it as a method of paying for parking meters or bus fare:
   1.) Not important 2.) Important 3.) Very Important

j. Using it as a library card:
   1.) Not important 2.) Important 3.) Very Important

k. Using it as a recreation services card entitling you to access swimming pools and other recreation facilities:
   1.) Not important 2.) Important 3.) Very Important

2. Would you use a community identification card?
   a. Yes  b. No

3. If the city or county issued the identification card the information you provided to obtain the identification card could potentially be requested by independent groups or government agencies. Would have concerns about this?
   a. Yes  b. No

4. If you would have concerns. How serious are they?
   1.) Not serious  2.) Serious  3.) Very Serious

---

jail access was question 1(g). Since the majority of the surveys were completed in Spanish, the final calculation of responses in Appendix H follows the Spanish language question order.
### Frequency Table Survey Answers

Not important =1, Important =2 , Very Important = 3, No answer = 4

<table>
<thead>
<tr>
<th>Code</th>
<th>Response Item</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>34</td>
<td>15%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>195</td>
<td>84%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>1</td>
<td>0%</td>
</tr>
</tbody>
</table>

|   |          | 233       | 100%    |

**Question 1(a) Pharmacy Services**

<table>
<thead>
<tr>
<th>Code</th>
<th>Response Item</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>34</td>
<td>15%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>195</td>
<td>84%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>1</td>
<td>0%</td>
</tr>
</tbody>
</table>

|   |          | 233       | 100%    |

**Question 1(b) Medical Services**

<table>
<thead>
<tr>
<th>Code</th>
<th>Response Item</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>29</td>
<td>12%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>203</td>
<td>87%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>1</td>
<td>0%</td>
</tr>
</tbody>
</table>

|   |          | 233       | 100%    |

---

230 With the assistance of the Center for Worker Justice, the authors gathered 233 surveys submitted in large part to the Latino and Sudanese community in Iowa City. Erin Fleck compiled this data into an Excel document to calculate the frequency of responses.
<table>
<thead>
<tr>
<th>Question 1(c) Utility Accounts</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Not important</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>2 Important</td>
<td>30</td>
<td>13%</td>
</tr>
<tr>
<td>3 Very important</td>
<td>202</td>
<td>87%</td>
</tr>
<tr>
<td>4 No response</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(d) Feeling Part of the City</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Not important</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>2 Important</td>
<td>35</td>
<td>15%</td>
</tr>
<tr>
<td>3 Very important</td>
<td>195</td>
<td>84%</td>
</tr>
<tr>
<td>4 No response</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(e) Law Enforcement</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Not important</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>2 Important</td>
<td>12</td>
<td>5%</td>
</tr>
<tr>
<td>3 Very important</td>
<td>218</td>
<td>94%</td>
</tr>
<tr>
<td>4 No response</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(f) Bank Access</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Not important</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>2 Important</td>
<td>31</td>
<td>13%</td>
</tr>
<tr>
<td>3 Very important</td>
<td>197</td>
<td>85%</td>
</tr>
<tr>
<td>4 No response</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Total</td>
<td>233</td>
<td>100%</td>
</tr>
<tr>
<td>Question 1(g) Jail Access</td>
<td></td>
<td>Frequency</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---</td>
<td>-----------</td>
</tr>
<tr>
<td>1</td>
<td>Not important</td>
<td>8</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>39</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>176</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(h) Homeless Shelter Access</th>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>11</td>
<td>5%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>43</td>
<td>18%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>176</td>
<td>76%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(i) Paying for Parking and Bus</th>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>19</td>
<td>8%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>47</td>
<td>20%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>159</td>
<td>68%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>8</td>
<td>3%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Question 1(j) Library Card</th>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not important</td>
<td>16</td>
<td>7%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>56</td>
<td>24%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>157</td>
<td>67%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
<td>100%</td>
</tr>
<tr>
<td>Question 1(k) Recreation Services</td>
<td>Frequency</td>
<td>Percent</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
<td>---------</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Not important</td>
<td>20</td>
<td>9%</td>
</tr>
<tr>
<td>2</td>
<td>Important</td>
<td>52</td>
<td>22%</td>
</tr>
<tr>
<td>3</td>
<td>Very important</td>
<td>142</td>
<td>61%</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>19</td>
<td>8%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q2 Would you use a Community Identification Card?</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
<td>210</td>
</tr>
<tr>
<td>2</td>
<td>No</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q3 Would you have privacy concerns?</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
<td>117</td>
</tr>
<tr>
<td>2</td>
<td>No</td>
<td>103</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Q4 How serious are your privacy concerns?</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Not serious</td>
<td>90</td>
</tr>
<tr>
<td>2</td>
<td>Serious</td>
<td>31</td>
</tr>
<tr>
<td>3</td>
<td>Very serious</td>
<td>68</td>
</tr>
<tr>
<td>4</td>
<td>No response</td>
<td>44</td>
</tr>
<tr>
<td></td>
<td></td>
<td>233</td>
</tr>
</tbody>
</table>
APPENDIX I: MEMORANDUM OF INTERVIEW WITH FREDERICK NEWELL

MEMORANDUM
To: Professor Elias
From: Erin Fleck
Re: Report of Meeting with Frederick Newell, Founder of the Dream Center
Date: 10/17/2013

I met with Frederick Newell on Thursday, October 17, 2013, at 1:00 PM. The meeting lasted approximately thirty minutes.

As background, when the Dream Center started its first program offered to the community was a class to assist fathers in learning the skills of successful fatherhood. Since then the youth programs have taken off and become the focus of the Dream Center. To date they have about 130-150 students enrolled in their various programs. The Dream Center offers sports programs but it requires that youth maintain a 3.0 GPA to participate in these events. If the student falls below the standard, then he may attend tutoring four days a week and continue to participate in the sports programs.

Mr. Newell formed the Dream Center in response to seeing a lack in institutional support for families in Iowa City. For example, he did not see that the Neighborhood Centers of Johnson County (NCJC) and United Action for Youth (UAY) were offering programs to make families independent of their services. He also looked to his own family and saw how his father’s lack of engagement caused conflict and stress. In response, the Dream Center is aimed at addressing making the family a success and eventually independent from certain social services. Mr. Newell continues to work in, I believe, social services and operates the Dream Center as his second full-time unpaid job. In forming the Dream Center and continuing its operation, Mr. Newell has worked in partnership with the Neighborhood Centers of Johnson County, United Action for Youth, the Iowa City Department of Parks and Recreation, Worker Justice Center, and the Consultation of Religious Communities.

The Dream Center has worked specifically with the Iowa City Department of Parks and Recreation regarding its requirement of a rec center identification card. Mr. Newell was and is concerned that the rec center card requirement prevents youth from accessing the rec centers. He mentioned that it is hard for a child or a teenager to keep track of cards or identification.

Mr. Newell is concerned that an id requirement to access resources such as the rec center will cut kids off from accessing these important spaces. He has worked with the Iowa City Department of Parks and Recreation to try to make sure all children who want and need access to the rec centers may access them without a card.

Mr. Newell has a rec center card for the Dream Center and can use this card to get kids into the rec centers for program sponsored events. However, this does not eliminate the concern of
individual access. He also mentioned that the $5.00 replacement cost for a rec center ID is major barrier for youth.

Taking all of this into account, Mr. Newell is, to a certain extent, skeptical of a community identification card. He is concerned that like the rec center card, a community identification card could place a barrier between youth and accessing services to which they need and want access. He could see how the card would then become a requirement and therefore a hindrance to youth access. He was also concerned that police in their interactions with African American youth would begin demanding a community identification card. Mr. Newell stated that he did not think youth should be required to have this form of identification. He also wondered if the community ID card would really add much benefit to African American youth. He said many of them can get non-operator’s identification cards if they need them. He thought that youth as young as twelve had access to this program. I can look into this and find out more about youth access to non-operators’ cards.

Mr. Newell was also concerned that if a community ID were available, that the issuing authority would require a voucher from parents. I looked into DOT requirements for issuing a non-operator’s card to youth under 18 years of age and it appears that a form must be signed by a parent and notarized before the DOT will issue a card to a person under 18. I believe this is what Mr. Newell referred to. Mr. Newell pointed out that there are many parents who have to work two shifts to make ends meet and this type of requirement would be difficult for parents to meet.

Ultimately, Mr. Newell believes a community identification card could benefit youth and he would support it for the betterment of Iowa City as a whole so long as his concerns are addressed. He does think that youth could benefit from having one card to access all services—primarily rec centers and public library—so that they do not have to keep track of multiple cards. As coalition building, he would also support it as a benefit to undocumented persons in Iowa City. However, he was concerned that the City of Iowa City or other government agency could abuse the card as a way of identifying undocumented persons. I told him that part of our report will address the concern of privacy of information.

At the end of our meeting, I asked Mr. Newell to recommend other people in the community I should talk to about our project. He said, first, that we should talk to the youth at the Dream Center to directly hear what they have to say. I told him that we could potentially do a presentation or meeting with Dream Center youth to get their input. He thought this was a great idea and told me to get in touch with him about it if we would like to pursue this idea. He also recommended that I speak with Matt Moran, the Director of Iowa City Department of Parks and Recreation. He said that Mr. Moran is particularly interested in combining city services into one card. Mr. Newell also recommended that I speak with Jim Throgmorton who is currently on city council and that I speak to city council candidates Kingsley Botchway and Royceann Porter.
APPENDIX J: MEMORANDUM OF INTERVIEW WITH LINDA KOPPING

MEMORANDUM
To: Professor Elias and Erin Fleck
From: Jordan Moody
Date: Oct. 14, 2013
Re: Meeting with Linda Kopping, Coordinator of Johnson County Senior Center

I met today with Linda Kopping, Coordinator at the Senior Center. I first gave an introduction of our project and told her that I was there to gauge demand among members of the Senior Center. I let her know that we wanted to make sure that members of the Senior Center were represented in our research.

She reported that the Senior Center deals with the active elderly of Johnson County, almost all of them hold current driver’s licenses. She did report that there are certain members that are homeless and she has observed that they do lack a valid form of identification often times.

She also mentioned the potential demand of older community members than those found at the Senior Center. She gave her own mother as an example. She no longer has a driver’s license, and therefore has no valid form of ID and cannot register to vote. She reported that many older people that relocate would have a problem registering to vote. She also mentioned that her mother probably would not get a CID if it were too hard to get, and it would depend on what documents she needed to provide in order to receive a card.

She recommended that I speak with Bob Welsh, and that he might be interested in weighing in on a project like this one.