

P. MICHAEL STURLA, CHAIRMAN
414 MAIN CAPITOL BUILDING
P.O. BOX 202096
HARRISBURG, PENNSYLVANIA 17120-2096
(717) 787-3555
FAX: (717) 705-1923



HOUSE DEMOCRATIC POLICY COMMITTEE

WEBSITE: www.pahouse.com/policycommittee
EMAIL: policy@pahouse.net
 @PADemPolicy

House of Representatives
COMMONWEALTH OF PENNSYLVANIA

HOUSE DEMOCRATIC POLICY COMMITTEE HEARING

Topic: House Bill 2835

G-50 Irvis Office Building – Harrisburg, PA

September 22, 2020

AGENDA

- 2:00 p.m. Welcome and Opening Remarks
- 2:10 p.m. Panel One:
- Luis Larin, Statewide Coordinator, Driving PA Forward Coalition
 - Desi Burnette, Statewide Coordinator, Movement of Immigrant Leaders PA
- 2:20 p.m. Panel about Basic Human Rights:
- Olga Velasquez, Member, Casa San Jose (Pittsburgh)
 - Dewa Sukma, Member, New Sanctuary Movement of Philadelphia
- 2:30 p.m. Panel about Economic Impact:
- Diana Polson, Policy Analyst, Pennsylvania Budget and Policy Center
 - Justina Almontes, Member, CATA-The Farmworker Support Committee
 - Guillermo Perez, President, Labor Council for Latin American Advancement Pittsburgh
- 2:45p.m. Panel about Safety, Security, and Privacy:
- Casey Stokes-Rodriguez, Social Worker, John Harris High School
 - Karen Gardner, Policy Associate, National Young Farmers Coalition-PA Chapter
 - Muneeba Talukder, Immigrants' Rights Legal Fellow, ACLU Pennsylvania
- 3:00 p.m. Panel Five:
- Julissa Morales, Member, Movement of Immigrant Leaders PA
 - Caitlin Barry, Director, Villanova University's Farmworker Legal Aid Clinic
- 3:10 p.m. *Questions & Answers*
- 3:50 p.m. Closing Remarks

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House Co-Sponsorship Memoranda

House of Representatives Session of 2019 - 2020 Regular Session

MEMORANDUM


Posted: August 28, 2020 11:45 AM
From: Representative Danilo Burgos and Rep. Joseph C. Hohenstein, Rep. Sara Innamorato, Rep. Christopher M. Rabb
To: All House members
Subject: Helping Undocumented Persons Apply for Driver's Licenses

In today's world, a driver's license is essential to earn a living, travel safely, and live a dignified existence. Unfortunately, many undocumented persons are unable to apply for a driver's license in Pennsylvania because they do not have the required Social Security Number. As a result, they are contributing income and sales taxes without the equal protections and basic rights that the rest of us enjoy such as the ability to drive safely to work, school, or stores.

To address this issue, I will be introducing legislation that allows individuals without a Social Security Number to apply for a driver's license or learner's permit using secure alternatives such as a federal taxpayer identification number, a federal waiver for non-issuance of a Social Security Number for religious reasons, or any combination of documents that reliably proves the applicant's name and date of birth, including a valid foreign passport, consular identification document, or certified record of the individual's birth, marriage, adoption, or divorce.

This change will also improve public safety as requiring individuals to pass a driver's test will reduce accidents, make roads safer, and reduce the number of unlicensed and uninsured drivers on the road. Having a valid driver's license will also help individuals feel more comfortable in reporting accidents and cooperating with law enforcement.

Please join me in cosponsoring this important piece of legislation to help undocumented Pennsylvanians get the tools they need to succeed and better contribute to our Commonwealth.

 Introduced as HB2835

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2835 Session of
2020

INTRODUCED BY BURGOS, HOHENSTEIN, INNAMORATO, RABB, ISAACSON,
KENYATTA, PASHINSKI, KINSEY, HANBIDGE, MADDEN, HARRIS,
FIEDLER, HOWARD, SANCHEZ, D. MILLER, SCHLOSSBERG, DEASY AND
DELLOSO, SEPTEMBER 1, 2020

REFERRED TO COMMITTEE ON TRANSPORTATION, SEPTEMBER 1, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in licensing of drivers, further providing for
3 application for driver's license or learner's permit, for
4 issuance and content of driver's license and for expiration
5 and renewal of drivers' licenses.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 1506(a) and (a.1) of Title 75 of the
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 1506. Application for driver's license or learner's permit.

11 (a) Form and content.--Every application for a learner's
12 permit or driver's license shall be made upon a form furnished
13 by the department and shall contain such information as the
14 department may require to determine the applicant's identity,
15 competency and eligibility. The form shall allow for submission
16 of a Social Security number or a taxpayer identification number.

17 The form may also provide for inclusion of personal medical
18 information and other information of use in an emergency.

1 [(a.1) Noncitizen application.--A person who is not a
2 citizen of the United States may apply for a Pennsylvania
3 driver's license upon establishing the person's lawful presence
4 in the United States and this Commonwealth. The department may
5 issue a license if the person will lawfully be in the United
6 States for a period of one year or more after the date of the
7 application or for a shorter period of time if deemed
8 appropriate by the department.]

9 * * *

10 Section 2. Section 1510(f) and (i) of Title 75 are amended
11 and the section is amended by adding a subsection to read:

12 § 1510. Issuance and content of driver's license.

13 * * *

14 (f) Waiver.--Notwithstanding the provisions of subsection
15 (a), the department shall issue a driver's license to an
16 otherwise eligible person who has no Social Security number [if
17 the person submits a waiver obtained from the Federal Government
18 permitting him not to have a Social Security number.]. The
19 department may require other identifiers, including, but not
20 limited to, a taxpayer identification number, before issuing the
21 license.

22 * * *

23 [(1) Issuance to noncitizens.--A license issued in
24 accordance with section 1506(a.1) (relating to application for
25 driver's license or learner's permit) may contain an indication
26 that the license was issued to the person who is not a citizen
27 of the United States and who has credentials or documents issued
28 by the Immigration and Naturalization Service or its successor.]

29 * * *

30 (k) Privacy and confidentiality for standard-issued driver's

1 licenses and photo identification cards.--The following shall
2 apply:

3 (1) Any portion of a record retained by the department
4 in relation to a non-commercial driver's license, State
5 identification or learner's permit application or renewal
6 application that contains the photo image or identifies the
7 Social Security number, individual tax identification number,
8 telephone number, place of birth, country of origin, place of
9 employment, school or educational institution attended,
10 source of income, status as a recipient of public benefits,
11 customer identification number associated with a public
12 utilities account, medical information or disability
13 information of the holder of, or applicant for, the license
14 or permit is not a public record and may not be disclosed in
15 response to any request for records except:

16 (i) to the person who is the subject of the record;

17 (ii) where expressly required under 49 U.S.C. Ch.
18 303 (relating to national driver register); or

19 (iii) where necessary to comply with a lawful court
20 order, judicial warrant signed by a judge appointed under
21 Article III of the Constitution of the United States or
22 subpoena for individual records issued under the
23 Pennsylvania Rules of Criminal Procedure or the
24 Pennsylvania Rules of Civil Procedure. For the purposes
25 of this subparagraph, whenever a lawful court order,
26 judicial warrant or subpoena for individual records
27 properly issued under the Pennsylvania Rules of Criminal
28 Procedure or the Pennsylvania Rules of Civil Procedure is
29 presented to the commissioner, only those records,
30 documents or information specifically sought by the court

1 order, warrant or subpoena may be disclosed.

2 (2) If records are disclosed in response to a judicial
3 warrant or law enforcement request, the department shall
4 notify the person who is the subject of the request and
5 provide the identity of the agency that made the request
6 within three days of receiving the request.

7 (3) The department and any agent or employee of the
8 department may not retain the documents or copies of
9 documents presented by applicants for non-commercial drivers'
10 licenses or learners' permits which do not meet Federal
11 standards for identification to prove age or identity except
12 for a limited period necessary to ensure the validity and
13 authenticity of the documents.

14 (4) Records related to non-commercial driver's licenses,
15 identification cards or learner's permits may only be
16 disclosed:

17 (i) at the request of the individual license or card
18 holder;

19 (ii) where necessary to comply with a lawful court
20 order, judicial warrant signed by a judge or subpoena for
21 individual records issued by the Pennsylvania Rules of
22 Criminal Procedure or the Pennsylvania Rules of Civil
23 Procedure; or

24 (iii) where specifically authorized by law.

25 (5) An agency that has access to or receives records
26 that include photographs, addresses, places of birth,
27 countries of origin and driving histories shall certify that
28 the agency will not use the records or information contained
29 in the records for any purpose other than the purposes
30 permitted under this subsection or disclose the records to

1 any third party. In addition to any records required to be
2 kept under 18 U.S.C. § 2721(c) (relating to prohibition on
3 release and use of certain personal information from State
4 motor vehicle records), any agency certifying under this
5 paragraph shall keep for a period of five years records of
6 all uses and identifying each person or entity that received
7 department records or information from the certifying agency.
8 The records shall be maintained in a form and manner
9 prescribed by the department and shall be available for
10 inspection by the department upon its request.

11 (6) The following shall apply:

12 (i) A non-commercial driver's license or learner's
13 permit which does not meet Federal standards for
14 identification shall not be used as evidence of a
15 person's citizenship or immigration status and shall not
16 be the sole basis for investigating, arresting or
17 detaining a person.

18 (ii) The department may not inquire about the
19 citizenship or immigration status of any applicant for a
20 non-commercial driver's license or learner's permit which
21 does not meet Federal standards for identification.

22 Section 3. Section 1514(e) of Title 75 is amended to read:

23 § 1514. Expiration and renewal of drivers' licenses.

24 * *

25 ~~[(e) Noncitizen license expiration and renewal.--~~

26 ~~(1) Except as otherwise provided, a license issued on~~
27 ~~the basis of Immigration and Naturalization Service (INS)~~
28 ~~credentials or documents shall expire on the date appearing~~
29 ~~on the INS credentials or documents provided by the applicant~~
30 ~~under section 1506(a.1) (relating to application for driver's~~

1 license or learner's permit).

2 (2) If the expiration date of the INS credentials or
3 documents exceeds four years, the license shall expire one
4 day after the applicant's date of birth but not more than
5 four years from the date of issuance of the license.

6 (3) Upon presenting INS credentials or documents
7 indicating continued legal presence in the United States, the
8 person may apply for a renewal of the license.

9 (4) If a person has been granted permanent legal status
10 in the United States by the INS, the department may in its
11 discretion require the person to present his INS credentials
12 or documents for only the first license application or
13 renewal.

14 (5) License renewals issued under this subsection shall
15 be for the length of time as set forth in paragraph (1) or
16 (2).]

17 Section 4. This act shall take effect in 60 days.

Luis Larín – Driving PA Forward Coalition – Testimony for HB2835

Good afternoon, my name is Luis Larin, I'm the statewide organizer for Driving Pennsylvania Forward Coalition. First I want to thank the House Democratic Policy Committee for recognize the importance of this issue and to Rep Danilo Burgos for his leadership on address the needs of the community in PA.

The Driving PA Forward Coalition is a statewide coalition composed of advocacy, faith, businesses, farmers, labor and community organizations that work together in support of passage of legislation HB2835 regarding accessibility of a standard driver's license with strict privacy and data protections for all Pennsylvanians regardless of immigration status.

Our basic humanity has been tested during this pandemic. We have seen and are seeing how communities come together. We saw neighbors and families finding ways to stay together, stay connected and stay supporting each other during times of crisis. Unfortunately for millions of people around the country, times of crisis are just call "Mondays or just another day of life" but ironically those millions of people who have the least are the ones who ending up giving the most. The pandemic highlights that contradiction even more!

While thousands around the state have been called "frontline workers or essential workers", those same workers are not being recognized as humans. The undocumented community experienced a denial to recognize their humanity by not having access to a driver license, but they were counted on during the pandemic to keep putting food on the table of every person in the US regardless of their immigration status.

This legislation is not just about a driver's license: It's about recognizing the basic humanity of every resident of Pennsylvania. This legislation is also about safety:
When more people driving are insured and know the basic safety rules of operate a vehicle, our roads will be safer.
Ensuring the safety of personal information of every Pennsylvanian when they obtain a driver's license or state ID
. And providing safety to families, who won't need to fear being torn apart after a routine traffic stop

This pandemic has taught us about humanity, it reminds us to go back to the basics of being kind with each other and see each other as humans. This pandemic also highlights the massive gaps of inequality in our society. It shows us that the "daily life, the normal way of life", has to change. We can't go back to normal. Our responsibility is to recreate normal: a normal founded on our humanity and basic human rights. A normal where everyone can have their basic needs met: good housing, good jobs, access to education, access to healthcare, right to privacy, and right to mobility.

Recognizing the humanity of an integral group of Pennsylvania's society is one step in the right direction to start closing those inequality gaps. Equality starts when we see each other as human beings.

Today we want to urge Pennsylvania's legislators to recognize the basic identity and humanity of every resident of Pennsylvania, regardless of their immigration status by supporting and approve HB2835.

Thank you

Olga Velazquez – Casa San Jose Pittsburgh – Testimony for HB2835

Good afternoon, committee of legislators. Thank you for having this audience with us today. My name is Olga Velazquez and I have been living in Pittsburgh for about 13 years. I am a single mother of 2 children, I belong to the Casa San José Association, a non-profit organization that supports the Latino community and the Pittsburgh community in general.

One of the programs that Casa San José has is Bridges to the Future for children and young people; This is a program focused on children ages 7 to 14 with the purpose of creating community and making each child feel important and well cared for. During the school year, the program also focuses on academic support. Such as helping with homework during the program and with reinforcement programs for learning. This group meets every Saturday. This program is so important to create unity between communities, and create a human connection.

During the pandemic, at Casa San José we saw the value of being connected as human beings, regardless of race, sex, color and any other difference, we saw different communities coming together to collaborate to make sure that everyone had even a can of beans to eat . When we forget the importance of the humanity of each one of us, it is when we stop being human beings, when we recognize the humanity of each one of us, that is when we begin to create a better future for all. Because as a mother, I want to make sure that my children do not live, what I have lived and what I am living. I want my children to learn to be good human beings!

I have worked cleaning houses for about 8 years. I work as hard as possible, because I have dreams, as a mother I have the dream of being able to buy a house for my children and give them the best gift that any father or mother can give their children - education - that's why I work hard to make sure they go to school and get a good education. An educated society is a society that progresses and I want my children to grow up in a better society than the one we are living in today.

I joined the Coalition Driving Pennsylvania Pa'Lante, because for me, a driver's license is important since as a single mother I am afraid that the police will stop me and deport me, and then my children would be completely alone since they are citizens of the United States. That is the biggest fear and dread for my 12 year old son.

Having a driver's license would mean that the state of Pennsylvania recognizes us as human beings. Not having access to a driver's license or ID has always been a barrier for communities of color and / or low-income communities when trying to get a better life, job, access to health insurance, or good housing.

That is why today we are calling as parents, as children, as human beings for things to change, since with this pandemic, it was shown that something must change and change begins with us.

We are asking legislators to recognize us as human beings and thereby also remove one of the many obstacles that low-income communities of color encounter every day of our lives.

Right now a pet can obtain an identification but many of us who during the pandemic have been called essential, cannot obtain a document that recognizes that we exist. We have been called essential for the country, for the economy, but the treatment we receive does not feel that of someone who is called essential.

The pandemic showed us that things must change. That is the call we are making to you today. That is why we ask you Pennsylvania legislators; to support and pass HB2835 legislation!

Thank you so much.

Good afternoon the house democratic policy committee. Thank you for the opportunity to have me as a part of this important matter.

My name is Dewa Sukma. I'm one of the members of the New Sanctuary movement organization. NSM is an organization that builds community across faith, ethnicity, and class in our work to end injustices against immigrants regardless of immigration status, express radical welcome for all, and ensure that values of dignity, justice, and hospitality are lived out in practice and upheld in policy. I'm also one of the leaders in Indonesian community at Saint Thomas Aquinas church where all are welcome, and I have been part of it for the past 10 years.

I am a proud mother of two and have been living in Philadelphia for 13 years. I'm grateful to live here in Philadelphia where the people are welcoming us as immigrants and also the government ensures to protect everyone regardless of their immigration status. Because of this, I believe the state needs to pass the legislation HB2835 In giving the opportunity for the immigrants to have Driver's licenses.

As an essential worker that works in the restaurant, me and my husband are working really hard to make the ends meet. The fact that outside the city of Philadelphia the working opportunity has been a better offer, it is indeed inaccessible by public transportation because unfortunately being part of the immigrant community, often means we don't have access for the driver license and also means that We cannot provide the best future for our family. And this pandemic makes it worse.

Here is a list of things that you as mother, father or caregiver can easily do, but I can't:

1. Have been going through nightmare experiences as a mom because of my son's medical conditions.
2. When he needs it to be taken to the doctor immediately I have to wait for someone to assist me in that kind of situation. It feels like forever. Luckily it was not life threatening but I'm a mother, my duty is to protect my children at all cost.
3. Riding the ambulance and the ambulance not going to the hospital where my son is going to, where they don't have my son's health record.
4. Going to the doctor's appointment, riding the public transportation it's time consuming because of an unreliable time schedule especially during the rain season and snow winter for the worst.
5. Buying medicine, now that the pharmacy doesn't accept any other form of identification beside the driver's license, even though we provide the health center card and the passport as an ID.
6. Getting groceries and just to do laundry is another struggle.
7. Or getting a phone call from school to inform me that one of my children is sick.
8. Being depending on somebody else to basic mobility needs, like going to work
9. This list is getting longer, but this are just some basic examples

All of these are similar struggling stories with the immigrants family. where they need to keep up the growing needs in their workplace and their quality time spent with their family. Having access to a driver's license really makes a difference in people's lives. For example my husband used to depend on his co worker to go to work, because it's 21 miles away and it takes 3-4 hours time travel by public transportation, Just because he wants to provide a better future for his family.

My husband works 30 minutes from home by car! However my children's health and myself still depend on my husband's schedule and ability to be around. I want to have the freedom to protect my children's wellbeing when they need it, without being dependent on somebody else's schedule.

Today, together with NSM and the Driving Pennsylvania Forward Coalition, I want to stand up and make my voice to be heard. And I'm urging the committee to stand up together with the immigrants and support the bill HB2835

The Driver's License is an essential part of life and driving is indispensable in order to provide a better future for their families. Regardless of their status. It is The right thing to do and it's about time that you recognize the immigrants as the community that brought great contribution to the state of Pennsylvania and will continue in the future.

Justina Almontes – CATA Kennett Square PA – Testimony for HB2835

Hello, my name is Justina Almontes. I work in a mushroom factory. I have been living in Kennett Square Pennsylvania for 16 years. I am a mother who has lived and worked in the shadows for 16 years to make sure my children have a better future. I am also a leader in CATA, an organization that has taught us all agricultural workers to organize and as a result we have gained better wages and better working conditions. CATA is also part of the Driving Pennsylvania Forward Coalition.

I want to start by asking you legislators a question. How many of you have eaten mushrooms in the last 16 years? (Wait for legislators to raise their hands) It is most likely that me or one of my colleagues harvested these mushrooms. For the past 16 years I have worked in the mushroom industry. Pennsylvania is proud to have Kennett Square where 68% of the nation's mushrooms are grown.

I would have liked to be here with you today, to tell you my story personally, but I had to work today. Let me tell you about the process of harvesting mushrooms: First the mushrooms are picked, then they are sent to the packing house, the mushrooms are washed, then they are dried, passing through a machine to process the weight, they are packed and a production date is set with 8-15 days so they can go out to the market. Once washed and weighed, the mushrooms are put into 20 pound baskets and we have to be lifting them to separate the mushrooms into 5 or 10 pound boxes, and then put those boxes on a pallet of 200 boxes per pallet. In a single day we have to make 20 pallets per day- making a pallet between two people takes approximately 45 minutes to an hour and a half.

Imagine working like this for two and a half weeks and being stopped by the police. If the police stop us and give us a ticket for 500 dollars for driving with no license, that is the equivalent of what I would earn working 2 and a half weeks, working every day between 6 to 8 hours a day.

Now more than ever a license is needed and even more during this pandemic. We would all help each other. We are a team working together on this and we are more united as a state.

Taking children to school and medical appointments. Many sides will benefit from this proposal. The state would also benefit as well as insurance companies. More money is generated in many parts of the state.

Everyone knows how important the agricultural industry is, not only economically but in the most basic form, producing what we eat, the food of the entire state, the country. And it is immoral that the very people and families of those who harvest our food do not even have an ID or driver's license. It is immoral that we have to go to our essential jobs in fear, because we do not have a driver's license.

Today we ask the legislators to support HB2835 and with that they would be supporting all workers. And it means that they count us as human beings, that they recognize us as human beings

God bless you and I ask that he touches your heart so you take action on this, since it is urgent, I personally have been waiting for that opportunity for the past 16 years that I have worked in the mushroom industry. Our families can't wait any longer!

Statement from Guillermo Perez, President, Pittsburgh chapter of the Labor Council for Latin American Advancement (LCLAA) before the House Democratic Policy Committee, Tuesday, September 22, 2020.

Good afternoon. My name is Guillermo Perez, I am the president of the Pittsburgh chapter of the Labor Council for Latin American Advancement (LCLAA). I also serve on the executive board of the national LCLAA, as a representative of the United Steelworkers international union. I work as a labor educator for the USW international at the union's headquarters in Pittsburgh.

For those of you who may not be familiar with us, LCLAA is one of six constituency groups recognized by the national AFL-CIO. The constituency groups represent different constituencies or communities among labor activists. LCLAA was founded in the early seventies to serve as a kind of Latino caucus within organized labor, with the goal of organizing more Latinos into labor unions, but also to create deeper connections between the broader Latino community and organized labor. We're sometimes called the Latino House of Labor. Our Pittsburgh chapter was launched in 2014, a short time after Republican House speaker John Boehner refused to allow a bi-partisan comprehensive immigration bill that passed the U.S. Senate to reach the floor of the House. Had it come to a vote in the House, we would likely not be here today talking about the need to pass a state law to allow thousands of Pennsylvania residents, who happen to be undocumented, to have access to a state-issued driver's license.

I mention the 2013 Senate bill as a way of reminding you all that, notwithstanding the xenophobia of the present federal administration, the majority of the U.S. public supports comprehensive immigration reform with a path to citizenship for the estimated 11 million undocumented residents of the United States. This is also the position of the national AFL-CIO and every major labor union in the country. Our current immigration system is profoundly broken. It's failing not only the millions of undocumented, but also all working people in the U.S.

The consensus among economists is that immigrants, including undocumented immigrants, are good for the economy; that undocumented immigrants don't compete with native-born workers for jobs, but actually help to create jobs by filling demands within the labor market that would otherwise go unfilled. This helps to explain why during a deadly pandemic so many essential workers in agriculture and meatpacking are undocumented. The high concentration of undocumented in a number of economic sectors – not just agriculture and food processing, but also construction, hospitality, restaurants, landscaping, to name a few – demonstrates clearly the essential role that the undocumented play in our economy, at the state and national levels. A functioning immigration system would recognize this and provide a way for immigrants to lawfully come to the U.S. to fill these jobs and, should they choose to stay, become another chapter in the story of a great country, built in part, by the contributions of hard-working, immigrant families "yearning to breathe free."

Unfortunately, since 2013, achieving the kind of immigration reform I'm describing has been all but impossible, but it remains the policy goal of both major labor federations in this country. We have no doubt that eventually we will get there, but until we do, it is vital that we do everything we can to keep safe and secure these millions of families we embrace as future citizens of the U.S. As labor activists we see them as our own because, for us, they are family. They are our brothers and sisters in the movement. In fact, every major labor union in the country has undocumented members, and every major union has conducted organizing campaigns to recruit them into our unions. It is therefore our

duty to represent them and advocate for them. And here in Pennsylvania, that includes making sure they have access to a driver's license.

The rationale for HB 2835 is a perfect illustration of how allowing the undocumented access to an essential life activity – being able to safely travel to and from work, or school, or be able to access groceries and healthcare – enhances the safety and security of all of us. Most especially during this terrible pandemic. And the denial of access contributes to a widespread fear and insecurity that hurts all of us.

So, on behalf of both the Pittsburgh and Philadelphia chapters of LCLAA, I strongly urge you to work with us to pass this bill as one important step in making a safer, more secure, and more prosperous commonwealth for all Pennsylvania's working families. Thank you.

Good Afternoon,

My name is Casey Stokes-Rodriguez and I am a bilingual, Licensed Social Worker in the Harrisburg Area. I have the privilege of working with and learning the stories of many immigrant students and families from various backgrounds in my role as Social Worker with the Harrisburg School District as well as an Early Intervention Social Worker, working with families of special needs children, ages 0-3. I also volunteer with La Puerta Abierta, a non-profit organization based in Philadelphia that offers mental health support to immigrant families facing legal, social or economic barriers. In addition, I am a member of the Coalition, Harrisburg Resists and Responds.

In my various roles, I seek to represent the 100's of immigrant students and families with whom I work. I am in strong support of the Driving PA Forward Campaign/HB2835 and hope to offer a glimpse of the **direct** impact that the ability to drive legally has on the students and families in our community. Teachers, School Counselors and Social Workers like myself are on the front lines advocating for the families and children impacted by detention and deportation. Across our state we are speaking up.

One family that I work with experiences the stress and trauma resulting from not having a driver's license every single day. Both Maria and her husband, Marco, have experienced unimaginable traumas in their lives while living in Mexico, which is why they fled to the United States 10 years ago. Maria and Marco have four children (ages 10, 7, 3 & 1). Three of their children have special needs. Maria stays home with the children during the day while Marco works. Because his options for work are limited, Marco often works long hours and comes home late at night. Marco is aware that he should not be driving without a license, but he is left with no other option, as he needs to get to work to provide for his family. While Maria tries to shield the harsh realities from her young children, they are well aware that getting pulled over may hold different consequences for their family than for their classmates families—as it means that if pulled over, their Daddy could be suddenly detained and deported, tearing apart their family. Although Maria tries to adhere to a bedtime routine, her 10 and 7 year old often, lay awake at night until Marco returns home and they can breathe a sigh of relief knowing that he was not pulled over by the police. As this family's Social Worker, I have spoken to the teachers of the two oldest children several times regarding their observation that the kids appear tired in school. The teacher has reached out to social service providers in the area to help the kids address resulting mental health concerns because of the stressors they carry due to worrying about their dad returning home each night. The already limited mental health providers are now being utilized to help this family manage their stressors; the teacher now carries the extra weight of knowing this family's story and spends extra time in the evenings trying to differentiate instructional planning for the children in a school setting; the kids carry the stress of worrying about their father during the day, making it difficult to focus and learn; and both Maria & Marco are never relieved of the worry of 'will Marco make it home safely to our family tonight' when he leaves for work. As you can see, the fact that Marco does not have the right to have a driver's license impacts an **entire** community.

Another family with whom I work also feels the stress associated with inability to have a driver's license. Mirna is a teenage student at a high school in our district at who recently lost her father unexpectedly to COVID 19. The whole family was devastated by this loss, including the mother, Carmen and Mirna's 2-year-old brother. Because their dad was the only person working and providing income, the family has been struggling financially since his death. Carmen has been forced to find work. Because she cannot hold a driver's license, she relies on the work-schedule of her neighbor to determine her shift availability, and is currently working the day shift. This leaves Mirna home alone to care for her 2-year-old brother. Mirna is often forced to miss school due to this new caretaker responsibility. Even when she is able to attend her virtual classes, she cannot focus on her schoolwork because she caring for her brother. Mirna is previously a straight-A student who has seen a drop in her grades and her teachers have reached out to express concern. Mirna's guidance counselor, her teachers, her principals & and other members of the school community are scrambling to offer support to this family. Mirna deserves the opportunity to a high school education. This family deserves the opportunity to grieve the loss of their father and husband. Instead, they are being forced to bury that grief and make unimaginable changes to their family routine. The opportunity for Carmen to hold a driver's license would allow Mirna the right to focus on her education and in a time of unimaginable grief, offer some sense of normalcy.

Providing for one's family and not worrying about the fear of deportation simply for traveling to make a living is a **human right's issue** that impacts the entire family system and our entire community. These are just two examples out of so many that I could provide, detailing the widespread affect that the inability to hold a driver's license has on

Casey Stokes-Rodriguez, LSW
Driving PA Forward Testimony

the families in our community. The passing of this law will directly affect the quality of life of so many of these families, and allow our community resources to focus on other needs. Thank you so much for hearing my concerns. I urge the committee to support HB2835. Our community is counting on you.

Sincerely,

Casey Stokes-Rodriguez



**TESTIMONY SUBMITTED BY
MUNEEBA TALUKDER, IMMIGRANTS' RIGHTS LEGAL FELLOW
THE AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA
TO THE HOUSE DEMOCRATIC POLICY COMMITTEE PUBLIC HEARING ON
HOUSE BILL 2835 — HELPING UNDOCUMENTED PERSONS APPLY FOR DRIVER'S LICENSES**

September 22, 2020

Good afternoon, Chairman Sturla and members of the House Democratic Policy Committee. Thank you for inviting me to testify this afternoon. My name is Muneeba Talukder and I'm an Immigrants' Rights Legal Fellow with the ACLU of Pennsylvania. The ACLU of Pennsylvania works to protect the rights of all, including those of noncitizens. We are a part of the Driving PA Forward Coalition because we recognize that driver's licenses and state identification is an important part of navigating everyday life and believe that it is important for all Pennsylvanians to have access to it. But because licenses and identification cards are so embedded in the lives of Pennsylvanians, it is important that as we work to expand access to them, we are also ensuring that information shared in order to obtain licenses and IDs is also protected. Lack of privacy protections affect everyone who has or is seeking a Pennsylvania driver's license or identification card.

As the agency that ensures driver safety, PennDOT should also be protecting the safety of our information. Information on over 36 million drivers is currently available for share or sale to hundreds of private companies and outside agencies, including Immigration and Customs Enforcement. Weak privacy protections not only undermine the trust in our government but also serves as a barrier to accessing necessary government services. Other states that lack robust privacy protections have seen their driver information used against their own residents by immigration authorities with destructive consequences, ranging from the use of the state's facial recognition system, to DMV employees using their state-funded time and resources to provide information to

immigration officers. In response, New Jersey and New York recently enacted strong protections for driver privacy.

I urge you to take a look at the report that the coalition put out earlier this month, *Secure Our Data*, which sheds light on the ways in which PennDOT shares and sells information and provides recommendations for how our state government can take action to correct these deficiencies. HB 2835 would add a host of crucial protections for driver data, including:

- Requiring consent or a judicial warrant before releasing personal information about drivers and identification card holders
- Removing ICE from state databases that use facial recognition search systems populated by PennDOT photos
- Create a common-sense approach to processing identification documents without indefinitely retaining personal information and making PA residents vulnerable to having their information used without their consent

As a Pennsylvania resident, I want to ensure that my privacy and the privacy of my neighbors and community is protected. It is not ok for our information to be sold and shared with federal agencies without our permission or without proper safeguards. We must take immediate action to protect the personal information for all Pennsylvania drivers and identification card holders.

And so it's important that HB 2835 addresses the many concerns that community members have regarding the privacy and security of their personal information. You've heard from many today about how expanding access to drivers licences is a win for us. Indeed, it is a win for the state's economy, for our families who are navigating this financial crisis, for immigrant communities, for the privacy and integrity of our licensing system, it is a win for all Pennsylvanians.

Thank you for your time.

Gilma – MILPA Lancaster PA – Testimony for HB2835

My name is Gilma, mother of two children, the youngest is a sergeant, he has served in the army for six years, the oldest is an electrical engineer and lives in California. I have lived 14 years in the city of Quarryville. I currently live with my current partner who does not have a driver's license and his 15 year old son.

Not having a license affects our lives, we decided to join Milpa so that our voices are heard and can touch the hearts of those who have the power to help us pass HB2835.

For our families, having a license is not a luxury, it is a necessity. Many families depend on a loved one to put food on their table, these families work hard every day and live in fear of being stopped by the police and being exposed to high fines that vary between \$ 700 and \$ 1,200, each time we are detained during a traffic stop. This money could be used to cover several months of rent.

This doesn't just happen to us, here in our city it affects the entire state of PA. On many occasions, I have witnessed how our people walk for many minutes with bags of clothes on their shoulders to get to the laundry, their wives and children carrying groceries, but what impacts me the most is seeing the pain in the faces of family and friends who have been arrested and who have had their cars confiscated while leaving their work areas and who many times no longer return home and are placed in the hands of immigration and are separated from their families for not having a driver's license.

I wonder how being able to insure a car and drive confidently and without fear would change our lives. All of our people contribute to the economy by paying taxes. By having a small business my family creates jobs and with our contribution and sacrifice we make this country of immigrants from all over the world even greater. I ask you on behalf of all the people of the state of PA to help us make this country even stronger, by passing this proposal. Thank you very much.