

Santa Barbara Friends Meeting

2012 Chapala Street

Santa Barbara, CA 93105

April 1, 2024

Senator Monique Limon
Senate Committee on Transportation
State Capitol
Sacramento, CA 95814

RE: Senate Bill 1081 - OPPOSE

Dear Sen. Limon,

The Santa Barbara Friends Meeting (also known as Quakers) writes to inform you of our opposition to Senate Bill 1081 (Archuleta), which will be heard in your committee on April 9, 2024. This bill requires those under age 26 applying for a first-time or renewing a California driver's license and California I.D. to register for the federal Selective Service System (SSS).

Santa Barbara Friends Meeting believes that local and state public agencies should not provide information or assistance to the military for draft registration or recruitment purposes. Many of our youth, as well as those of other religious organizations, conscientiously object to participation in any and all wars. This bill would force them to violate their conscience or check a box that could put them in legal jeopardy to get a driver's license.

Under this proposed legislation, people as young as 16 years old, i.e., minors, and up to age 26, will be deemed to have agreed to automatic registration for the draft by placing their signature on a driver's license application, which they have filled out for a completely unrelated purpose. The California Department of Motor Vehicles will forward this information to the Selective Service System, registering them immediately or in the case of those under 18, registering them automatically when they turn 18.

This linkage to filling out a DMV form trivializes registration for the draft, something that individuals should be able to thoughtfully consider, with full information and awareness of alternatives. The bill proposes that those who do not accept the linkage may proceed to sign the driver's license form and also indicate that "the applicant declines to consent by checking the "Don't Register" box on the application." However, checking such a box could be considered "self-incrimination," as "knowing and willful" nonregistration can be grounds for penalties such as refusal of federal employment or naturalization.

Legal experts consider that the "opt-out" provision in SB 1081 is deceptive and may entail entrapment. Opting out of registration with the SSS would require signing a written admission of notice of the requirement. This would amount to a written

confession of a federal crime, obtained by the DMV without providing legal counsel or a Miranda warning. The State of California should not use false assurances of confidentiality to trick applicants for driver's licenses as young as 16 years of age into signing confessions of federal crimes without benefit of a lawyer's advice, legal warnings, or the right to remain silent.

In the past, when similar bills have been introduced in California, immigrant rights groups, too, have been concerned about the possibility of sensitive personal information about immigration status being transmitted to one branch of the federal government and shared with other branches, with the possibility that a federal subpoena could override protections passed by the state legislature.

In recent years, requiring registration with the SSS has been removed as a prerequisite for federal and state financial aid: Congress repealed the requirement to register with the SSS for federal student aid in 2020. California repealed the requirement to register with the SSS for state Cal Grants for higher education in 2021. Californians have strong concerns about privacy and the sharing of personal information gathered for one purpose being shared for other unrelated purposes, even passing a constitutional amendment in 1972 to add privacy as an inalienable right to our state constitution. The DMV website itself lists as one of its Frequently Asked Questions : "Will DMV share any information on the online application?"

In 2015, Gov. Jerry Brown vetoed a similar bill, AB 82, stating "In view of the relatively easy ways that young men can register for the U.S. Selective Service System such as registering online, at their high school, or at a local post office, I don't think this new responsibility for the Department of Motor Vehicles is advisable." Linking registration for the federal SSS to a completely unrelated state function remains a bad policy choice for a number of reasons.

In light of the issues discussed here and many others, the Santa Barbara Friends Meeting asks the committee to vote NO on SB 1081. Thank you.

Sincerely,

Kate Connell

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