



Oklahoma Woman's Fight Against Real ID Moves Forward

Oklahoma woman Kaye Beach refused to renew her driver's license several years ago as a means to protest forced biometric enrollment, a decision that prompted a full-fledged legal battle. It appears some progress has been made in the suit, as a motion for summary judgment has been filed in Beach's lawsuit on June 19. The motion is a request for judgment in her favor, contending that all the factual and legal issues are in her favor.



According to the Constitutional Alliance, an organization supporting Beach's case, the ordeal began when Beach was cited for driving with an expired license in Norman, Oklahoma, because she felt that being forced to renew her driver's license with biometric information was a violation of her constitutional rights.

Beach's fight is against the REAL ID and the [biometric technology](#) upon which it relies. Those who are issued REAL ID driver's licenses must submit to fingerprinting and having their picture taken with high resolution digital cameras which capture, map, and digitize their features for use with facial recognition technology.

Beach's suit focuses on the First, Second, Fourth, Fifth, Ninth, and 14th Amendments, as well as states' rights, to an extent.

In March 2011, Beach attempted to apply for a renewal driver's license, when she was informed that she would be required to take a high-resolution digital photograph, and that she would not be able to receive a renewal license without allowing the Department of Public Safety to capture her biometric facial photograph or fingerprints.

Beach had requested an accommodation to allow her to forgo submitting to a digital face photograph based on a religious objection, but was told by the Department of Public Safety that biometrics were required by law and therefore, no exceptions were to be made.

According to the motion, Beach's decision to abstain from biometric enrollment is "religiously motivated":

Ms. Beach's religiously motivated practice is abstaining from allowing her biometric information to be capture, placed into a database and linked with other entities and jurisdictions in an international system of identification she believes manifests certain Biblical prophecies and prohibitions.

Ms. Beach's religiously motivated practice is based on her sincerely held religious beliefs that the Bible, specifically Revelation 13: 16-18 and 14: 9-1, explicitly commands believers to not participate in a global numbering identification system using the number of man, and eternally condemns participation in that system.

Since the format for the biometric facial photograph is an internationally set format determined by the United Nations' International Civil Aviation Organization (ICAO), and the data is accessed by the



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international organization American Association of Motor Vehicle Administrations, participating in this program violates those deeply set religious beliefs.

In 2011, L-1 Identity Solutions, a company that provides nearly every driver's license in the United States and provides the biometric software for driver's licenses, was sold to Safran, a French company that is 30 percent owned by the French government. If L-1 has direct or indirect access to state Department of Motor Vehicle databases, it would in turn have access to personal information including biometrics and Social Security numbers. As a side note, [Safran has been a valued partner of Communist China](#) for nearly 40 years, according to the Constitutional Alliance.

To make matters worse, Congress was absent in this decision making process.

The motion for summary judgment asserts these points and highlights the significant impact that not being able to receive a license has been on Beach's life.

The motion states, "As a result of the State's refusal to provide an accommodation, Ms. Beach is unable to lawfully drive a motor vehicle and in fact was criminally charged for driving without a valid driver's license; Ms. Beach has been denied the ability to acquire prescription medication; Ms. Beach has been denied the ability to use her debit card; Ms. Beach has been denied the ability to rent a hotel room; and Ms. Beach has been denied the ability to obtain a P.O. Box."

Beach was well aware of what she was getting herself into by undertaking this tremendous task. However, she asserts that national IDs are the "hallmark of a totalitarian society."

In a 2011 [interview](#) with *The New American*, Beach explained that it has been her goal to raise awareness on the unconstitutionality of the REAL ID: "I've been an activist since 2007, and I've been working to try to get legislation passed to protect us and educate the public on the REAL ID issue. When my driver's license expired, I realized the state was not going to protect us and so I opted against renewing my license."

Beach's victory would be significant, in that she is seeking to have her photo removed entirely from the DMV database, and would have a low-resolution photo on her driver's license instead of a high-resolution one.

Mark Lerner of the Constitutional Alliance observed that biometric enrollment is a very real danger, and is a significant component in the immigration bill — the Border Security, Economic Opportunity, and Immigration Modernization Act — as well.

In an interview with *The New American*, Lerner explained, "As part of the immigration bill, the Department of Homeland Security would have the authority to create a photo database, a utilizing facial recognition. Though it is not explicitly stated, it is implied that they will collect a photo and compare it to the state DMV."

Kentucky Senator Rand Paul has [expressed](#) similar concerns relating to biometrics in the immigration bill. On May 24, Paul wrote an opinion piece for the *Washington Times*, wherein he states, "Many see measures contained in this bill, such as a strong E-Verify and a 'photo tool,' as a means to control unlawful immigrants' access to unlawful employment. I worry that they go too far.... We should scrap a national identification database and pass immigration reform that secures the borders, expands existing work-visa programs and prevents noncitizens from access to welfare."

To combat this component of the immigration bill, Paul introduced the Protect our Privacy Act, which would prohibit the issuance of a national ID card. "A National ID card violates our right to privacy by



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helping to consolidate data and facilitate the government in the tracking of individuals,” Paul opines. Lerner contends that it is imperative that the use of biometric data be opposed at all levels. “It’s obvious our government wants to create a 24/7 digital footprint for us, and that is dependent on biometric information,” he told *The New American*.



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