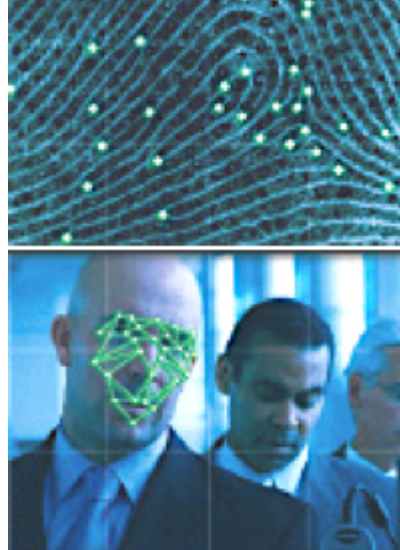




Written by [Raven Clabough](#) on July 26, 2011

OK Woman's Legal Battle: REAL ID Driver's License Unconstitutional

In an effort to draw national attention to the federal government's intrusion into the everyday lives of its citizens, Oklahoman Kaye Beach has elected to take on the system. She refused to renew her driver's license in protest of not only forced biometric enrollment — having her information shared with corporations and government agencies — but also the influence of international organizations on U.S. policies and laws. Her actions have initiated a full-fledged legal battle.



According to the Constitutional Alliance, an organization supporting Beach's case, she was recently cited for driving with an expired license in Norman, Oklahoma, reportedly 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. (See photos above left.)

In an 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.

The Constitutional Alliance further explains Beach's concerns:

Kaye had petitioned the Commissioner of the Department of Public Safety and the General Counsel for the Department of Public Safety asking for relief, an exemption from providing her biometrics (fingerprints and high resolution digital facial image/photograph). Kaye was informed there is no exemption; she must provide her biometrics and Social Security number.

This week the CFIUS (Committee of Foreign Investment in the United States) approved the sale of L-1 Identity Solutions, a company that provides nearly every driver's license in the United States to be sold to Safran, a French company that is 30% owned by the French government. L-1 also provides the biometric software for driver's licenses. Each citizen should contact the agency or department in their respective states that oversees the issuance of driver's licenses to determine



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if L-1 has direct or indirect access to your state Department of Motor Vehicle database, thus your personal information including your biometrics and Social Security number. As a point of fact, [Safran has been a valued partner of Communist China](#) for nearly 40 years. Congress was absent in this decision making process. The Treasury Department has jurisdiction over the CFIUS. This development makes Kaye's case even more important if that is possible.

Howard Houchen of the *Canadian Free Press* [contends](#) that the IDs are a violation of a number of constitutional rights:

Once again OUR federal government is trampling all over the U.S. Constitution, specifically the 10th Amendment, as well as sacrificing OUR right to privacy and our beloved belief that an individual is innocent until found guilty by a court of law. By mandating certain criteria and information, specifically biometric information (fingerprints and digital facial recognition friendly photos), be contained on state issued drivers licenses, the federal government dictates to the states of the Republic what is to be the purview of the states and the states alone. [Emphasis in original.]

Overall, Beach asserts that national IDs are the "hallmark of a totalitarian society."

In her effort to fight this system, Beach was forced to exhaust all of her administrative options, and beat her ticket in traffic court, so that she may file a civil case that she intends to take all the way to the Supreme Court.

On July 21, she and her attorneys, Benjamin Sisney and John Echols, prevailed in traffic court. At her arraignment, the city attorney decided to dismiss the case. As noted by the attorneys, traffic court was a "critical step" in moving forward with the civil suit.

Mark Lerner, co-founder of the Constitutional Alliance, indicates that the victory in traffic court is significant:

First and foremost had Kaye been found guilty she would have been the defendant in a criminal case (appeal of the traffic court decision). With the dismissal Kaye is now able to move forward as the plaintiff in a civil suit. What this means is Kaye and her attorneys are no longer on the defensive which was the case as long as Kaye remained a defendant. Kaye and her legal team will be on the offensive as Kaye will be the plaintiff and the state the defendant in a civil suit.

Lerner indicates that Kaye's case will focus on the First, Second, Fourth, Fifth, Ninth, and Fourteenth Amendments, as well as states' rights to an extent. He also notes that Kaye's endeavor will be a costly one, and that a legal defense fund has been set up for her through which donations may be made.

Beach is fighting a program that continues to expand. The Heritage Foundation [observes](#), "At least 32 states are close to REAL ID material compliance, while a total of 44 states and territories have indicated that they fully intend to meet REAL ID compliance."

Many observers are confident that despite the obstacles, Beach is just the right person for the job. Clark Curry of a local chapter of The John Birch Society in Oklahoma is a leading supporter of Kaye's efforts, referring to her as a "conservative activist" and a "solid individual." He notes that she can be aggressive, but "in a good way."



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