



County of Santa Clara

Policy Name: Recognizing the Consular Identification Issued by the Mexican and Other Foreign Governments as Official Identification - Board Policy 3.38

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Policy Type: Board

Category: Administrative Practices

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3.38 RECOGNIZING THE CONSULAR IDENTIFICATION ISSUED BY THE MEXICAN AND OTHER FOREIGN GOVERNMENTS AS OFFICIAL IDENTIFICATION (Adopted 8-6-02)

It is the policy of the Board of Supervisors that:

- (A) The identification card issued by the Mexican Consulate, entitled the *Matricula Consular*, shall be accepted as a valid form of identification by County departments and agencies.
- (B) County departments and agencies shall accept an identification card that is issued by a country, other than Mexico, to its citizens or nationals as a valid form of identification if the County Executive has determined that the identification card meets the following requirements: (1) the issuing country authorizes the use of the card as an alternative to a passport for re-entry into the issuing country, (2) the card has a photograph of the person and the person's date of birth, (3) the card holder was required to provide reliable identifying information in order to obtain the card, and (4) the card has features reasonably designed to protect against fraud and counterfeit reproduction, including the use of bonded paper, lamination, a hologram, an imbedded signature of the issuing officer and



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serialization. The County Executive shall compile and make available to County departments a list of the identification cards and the issuing countries that the County Executive has determined meet the requirements of this paragraph. Any County Department and any member of the public may request that the County Executive review an identification card for compliance with this paragraph.

- (C) Nothing in this policy prohibits a County department from asking for additional information from individuals in order to verify a current address or other facts that would enable the department to fulfill its responsibilities.
- (D) The sole purpose of this policy is to facilitate the establishment of a person's identity. It does not establish any legal status or entitlement to any benefits.
- (E) The requirements of this policy do not apply under circumstances where (1) a federal or state statute, regulation, court decision or other applicable law requires the County to obtain different identification, (2) a federal or state statute, regulation, court decision or other applicable law preempts local regulation of identification requirements, (3) the County would be unable to comply with a condition imposed by a funding source, causing the County to lose funds from that source, or (4) there are reasonable grounds for a determination that a specific card is counterfeit, altered, improperly issued to the card holder, or is an otherwise unreliable form of identification.
- (F) It is not the intention of the Board of Supervisors that County departments and agencies use the *Matricula Consular* to assist federal agencies in the enforcement of federal immigration law. Furthermore,



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County departments and agencies shall not consider the possession of a Matricula Consular as evidence of illegal immigration status.

- (G) In adopting and implementing this policy, the County is only acting to promote the general welfare. The County is not assuming, nor imposing on its officers, agents and employees, an obligation the breach of which imposes liability on the County for money damages.

Related Policies

None.

Related Forms and Information

None.

History

Date	Changes Made
1/29/2014	Policy Uploaded. (John Myers)
8/6/2002	Policy Adopted. View legislative file.