

# State Identification: Reentry Strategies for State and Local Leaders

State-issued identification is frequently required to access social services, secure housing, and apply for employment—all factors that can play a crucial role in a person’s successful reintegration into the community after incarceration. People leaving prisons and jails with state identification may be able to more quickly access vital services and support, and those without such identification will likely face significant barriers to successful reentry.

## Access to State Identification

Most people find themselves without state identification after incarceration because their previous documentation expired or was lost or damaged while they were incarcerated. Moreover, people returning from incarceration rarely have access to birth certificates and Social Security cards, which are frequently required for obtaining state identification, and the process for procuring such documents can be daunting and costly.

To ensure that people are able to obtain state-issued identification after incarceration, states generally implement state, interagency, or local policies or enact legislation. For example, a state department of corrections (DOC) may be mandated to issue state identification to incarcerated people prior to release through collaboration with the state’s department of motor vehicles (DMV). Alternatively, the DMV may be authorized to accept DOC identification or prison release papers as a form of identification; a corrections department might be authorized to issue temporary identification that is exchanged for state identification upon release; or release programming could include correctional staff assisting people with obtaining documents required by the DMV prior to release.<sup>1</sup>

## STATE AND COUNTY LESSONS FROM CALIFORNIA

California Assembly Bill 2308 (2014) requires the California Department of Corrections & Rehabilitation (CDCR) and the California DMV to ensure that all eligible people released from state prisons have valid identification cards. The cost to produce 18,500 identification cards each year and fund approximately 25 new positions at the CDCR and DMV necessary to fulfill this requirement was estimated to be \$2.2 million annually.<sup>2</sup>

At the local level, Los Angeles County and San Diego County have created programs in coordination with the DMV that provide state identification three to four months prior to a person’s release from jail. The Inmate Welfare Fund of the CDCR, a trust in which all proceeds from inmate canteen and hobby shop sales are deposited, may be used to provide funding for these local programs.<sup>3</sup>

## Provision of Identification Pre- and Post-Release

When people leaving prisons and jails obtain state identification before their release, they are better able to access services and supports more quickly, providing better opportunity for successful reintegration into the community. In addition, law enforcement may benefit from being able to identify and monitor people released from incarceration who are using state identification.<sup>4</sup>

A post-release approach to providing state identification—allowing formerly incarcerated people to exchange their prison identification cards for state identification—would require fewer resources than the pre-release model. However, given the many immediate needs of people returning from jails and prisons, people may wait months to obtain a state identification card following release, which may make this a less effective option.<sup>5</sup>

The National Reentry Resource Center, a project of The Council of State Governments Justice Center, is working with expert partners to provide broad-based education, training, and resources to policymakers who wish to implement effective legislation and policies to reduce recidivism and promote job readiness for the nearly 10 million adults who return to the community each year from jails and federal and state prisons in the United States.

## FROM MOUS TO LEGISLATION: LESSONS LEARNED FROM FLORIDA

The Florida Department of Corrections (DOC) cultivated relationships with the Department of Health, Office of Vital Statistics, Department of Highway Safety and Motor Vehicles (DHSMV), and the Social Security Administration to assist inmates nearing release in obtaining official Florida identification cards, birth certificates, and replacement Social Security cards.

The DOC's ability to provide people being released from incarceration with identification cards is supported by the DHSMV's Florida Licensing on Wheels (FLOW) program.<sup>6</sup> These mobile units began traveling to state prisons in 2009 to assist people in obtaining identification cards.<sup>7</sup>

After many years of success, the state interagency partnerships were codified into law in 2014. The DOC maintains a memorandum of understanding (MOU) with the Social Security Administration.

In FY14–15, 16,137 Florida birth certificates, 9,353 Florida identification cards, and 14,960 replacement Social Security cards were issued to people leaving Florida's prisons.

## TECHNOLOGY LESSONS FROM TEXAS

Texas House Bill 2161 (2009) mandates that the Texas Department of Criminal Justice (TDCJ) work with other state agencies, such as the Department of State Health Services and the Texas Department of Public Safety, to provide personal identification for all people eligible prior to their release.<sup>8</sup> These three agencies utilize technology, such as electronic databases, mobile cameras, and special software, to increase the TDCJ's capacity to issue state identification cards. At the time of passage, the bill was expected to provide state identification for the more than 70,000 individuals released each year.<sup>9</sup> Implementation was expected to cost \$1.5 million annually based on fees associated with the electronic verification of birth records and implementing new technology in state prisons.<sup>10</sup> All costs are paid by TDCJ through general revenue funding.<sup>11</sup>

## Implementation Considerations

Housing and employment—two important components of successful reentry—are nearly impossible to obtain without identification. As such, issuing state identification while people are still incarcerated is the most effective model to support successful reentry. There are costs associated with these programs, however, including the production of the identification cards, as well as increased staffing. Enacting legislation to ensure that corrections-issued identification may be exchanged for state-issued identification may provide a lower-cost solution, as there would likely be no additional production or staff-time costs.

To promote cooperation between state and local agencies and ensure that corrections-issued identification will be accepted as a primary proof of identification by state DMVs, additional regulations or memorandums of understanding that detail how the agencies will work together are necessary.<sup>12</sup> Allowing the state DOC to issue identification cards within a facility may also require the use of new hardware and software if a faster and more efficient automated system is desired.<sup>13</sup>

## Endnotes

1. See Legal Action Center, "[Possible Models for Post-Release Identification](#)."
2. S.B. 2308 (Cal. 2014).
3. Joshua Stewart, "County, DMV to help inmates to get ID cards," *San Diego Union Tribune*, September 13, 2015; Public Safety Realignment Team, County of Los Angeles, "[Public Safety Realignment: Year-Three Report](#)" (Jan. 2015) at pp. 22–23.
4. See Cal. Penal Code § 5006.
5. Legal Action Center, *supra* note 5.
6. See [Florida Department of Highway Safety and Motor Vehicles website](#).
7. "For inmates leaving prison, a huge problem: they have no identification card, and they're 'nobody,'" *Freeline Media Orlando*, December 11, 2011.
8. H.B. 2161, 81st Legis. Reg. Sess. (Tex. 2009).
9. John S. O'Brien, Tex. Legis. Budget Bd., "[Fiscal Note, 81st Legislative Regular Session—In Re: HB 2161](#)" (May 28, 2009).
10. *Ibid.*
11. Brad Livingston, "[TDCJ helps secure state-issued IDs to aid offender reintegration](#)," *Criminal Justice Connections* (March/April 2014).
12. Tex. Government Code § 501.0165(c) (requiring the various agencies to create a memorandum of understanding).
13. Tex. Dept. of Criminal Justice, "[Texas Department of Criminal Justice Biennial Report of the Reentry and Integration Division](#)" (Sept. 2014) at p. 13.

*Established by the Second Chance Act, the National Reentry Resource Center (NRTC) provides education, training, and technical assistance to states, tribes, territories, local governments, community-based service providers, nonprofit organizations, and corrections institutions involved with prisoner reentry. The NRTC is administered by the U.S. Department of Justice's Bureau of Justice Assistance and is a project of The Council of State Governments Justice Center, in cooperation with the Urban Institute, the National Association of Counties, the Association of State Correctional Administrators, the American Probation and Parole Association, and other key partner organizations. Points of view or opinions in this document are those of the authors and do not necessarily represent the official position or policies of The Council of State Governments Justice Center or members of The Council of State Governments.*

