



DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

Report on Inmate Identification Documents – Calendar Year 2021

Fulfilling Reporting Requirements Correctional Services Article,
9-609.1, Annotated Code of Maryland

January 2022

Governor Lawrence J. Hogan
Lt. Governor Boyd K. Rutherford
Secretary Robert L. Green

Executive Summary

- In 2021, 4,219 inmates were released from the Department to the community. Only community releases were evaluated for release identification provision.
 - The Department provides all inmates with facility-issued photo identification cards which can be used to obtain state issued identification cards at local Motor Vehicle Administration (MVA) locations as part of an interagency agreement.
 - In 2021, 3,255 inmates (77.2%) were released to the community with at least one form of identification document, either a facility-issued release ID, birth certificate, SSN card, or MVA issued ID.
 - In 2021, 1,304 (30.9%) inmates were released to the community with at least one identification document in addition to a facility-issued release ID.
 - Identification documents are interdependent, in order to request an MVA-issued identification, an inmate's application must contain both their birth certificate and SSN card.
 - The ability to complete the process of obtaining identification documents is impacted by the mechanism of release. Accelerated or interrupted releases, triggered by short revocation periods or court orders, can interrupt months-long processes of gathering documents from other state agencies.
 - Individuals released in line with their projected release dates were more likely to have additional identification documents beyond a facility issue release identification card. 36.8% of inmates released to the community on mandatory supervision, parole, or upon expiration of sentence had at least one additional identification document, compared to 11.9% of inmates released due to court order, administrative release, or following a revocation hearing.
 - There were no trends in the acquisition dates of identification documents that suggest a clear impact of COVID-19 on documents obtained for inmates released in CY 2021.
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Introduction

Chapter 514 of the Acts of the 2020 Maryland General Assembly enacted Senate Bill 77 (SB 77), Correctional Services – Important Documents and Identification Cards – Inmates, as Correctional Services Article § 9-609.1, Annotated Code of Maryland. This statutory requirement directs the Department of Public Safety and Correctional Services (Department) to provide certain identification documents to inmates and report annually.

Correctional Services Article, § 9-609.1, Annotated Code of Maryland requires the Department to report the following data elements in accordance with § 2-1257 of the State Government Article:

- The number of identification cards issued to inmates;
- The number of birth certificates obtained for inmates, including how many from other states;
- The number of social security cards obtained for inmates;
- The number of inmates released from a state correctional facility with an identification card issued under § 12–301 of the Transportation Article;
- The number of inmates released from a state correctional facility without an identification card issued under § 12–301 of the Transportation Article;
- The number of inmates released from a state correctional facility with a birth certificate issued under § 9-609.1 of the Correctional Services Article;
- The number of inmates released from a state correctional facility without a birth certificate issued under § 9-609.1 of the Correctional Services Article;
- The number of inmates released from a state correctional facility with a social security card issued under § 9-609.1 of the Correctional Services Article;
- The number of inmates released from a state correctional facility without a social security card issued under § 9-609.1 of the Correctional Services Article.

This report includes data on releases and release documents for calendar year (CY) 2021.

Overview – Inmate Release Documents

The Department's correctional facilities obtain and provide the following documents upon release, where applicable:

- **Release Cards**, also referred to as release cards or "R cards" are official DOC-issued photographic identification cards that are provided to individuals shortly before their release from a State facility. They are valid for 45 days, and are considered an acceptable form of secondary identification per the Maryland Motor Vehicle Administration
- **Birth Certificates** refer to certified copies of birth certificates, provided by the Maryland Division of Vital Records or the relevant local jurisdiction for inmates born out of state.
- **Social Security Cards** are replacement social security number (SSN) cards obtained directly from the Social Security administration on the inmate's behalf. On occasion, some social security number (SSN) cards may be part of the original documents that are collected as part of inmate property at intake. While not used as primary identification documents, they assist in the preparation of employment documents.
- **MVA Identification Cards** are either state identification cards or driver's licenses issued by the Maryland Motor Vehicle Administration. Some State ID or driver's licenses may be part of the original documents that are collected as part of inmate property at intake. In other circumstances, an inmate may have those documents secured by family, and correctly report having them even though they are not in their possession.
- **Release Envelope** is the consolidated repository for all release documents and personal identifying documents that are provided to an inmate upon release. Throughout the term of incarceration, case management specialists place documents as they are received into this packet to support inmates upon release. It also includes informational bulletins, and relevant applications for social services, voter registration, and re-entry resource documents.

State and Agency Partnerships

Maryland Department of Health (MDH)- Division of Vital Records (DVR)

Since 2008, the Department has had an agreement with the Maryland Department of Health to allow the DVR to issue certified copies of birth certificates to inmates within DOC custody. This agreement allows the Department to process birth certificates more efficiently as batch requests for all inmates within a facility who are intending to reside in the State of Maryland and who have a projected release date within 180 days. The Department directly absorbs the cost of application fees, and assists inmates with application and waiver forms. Additionally, the Department has transferred state employee PIN positions to the DVR to facilitate this interagency process.

Social Security Administration

By agreement with the Social Security Administration (SSA), the Department has the authority, with inmate permission, to request replacement social security cards when inmates are within 120 days of release, or are participating in pre-release or work release programs. The Department cannot initiate this process for inmates whose Social Security record requires correction, those requesting a new SSN, those who are not citizens, or those who have used more than one social security number. These more complicated transactions must be conducted directly by the inmate post release before a replacement card may be issued.

Maryland Department of Transportation- Motor Vehicle Administration

In 2021, the Department entered into a formal agreement with the Maryland Motor Vehicle Administration (MVA) to establish a procedure for assisting inmates with the process of obtaining MVA-issued identification documents prior to release. In addition to codifying existing practices between the agencies, it established a more efficient way to electronically transfer the necessary documents, and ensure the Department's identification documentation met the MVA standard.

This agreement established eligibility for inmates within 60 days from their release date to request an MVA identification card. Inmates who were released sooner than 60 days, or who were unable to obtain a card prior to release are still eligible to present a Department-issued identification card alongside other identifying information for a waived fee within 60 days of release. The timing of securing MVA identification documents is first contingent upon the possession of an official birth certificate and Social Security card.

Identification Documents Provided in 2021

The Case Management Unit engages with individuals throughout their period of incarceration, and may begin gathering identification documents well in advance of release, crossing calendar years. Department-issued identification cards, referred to as R-cards, are provided to all inmates upon release from DOC custody. Over the course of 2021, 5,921 identification documents were gathered for all inmates, not just those imminently being released:

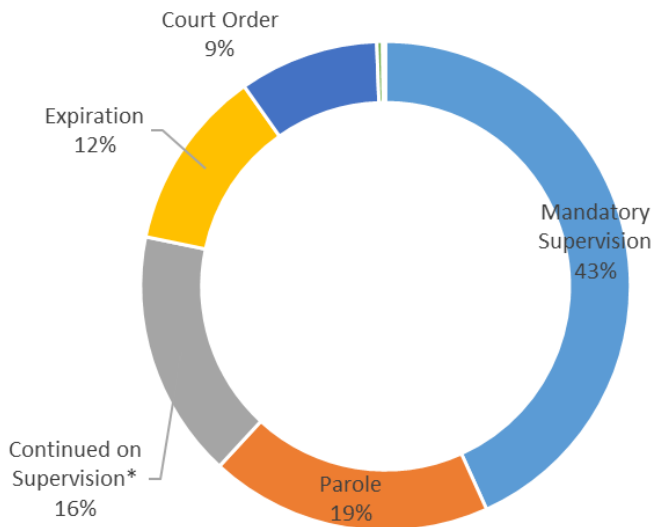
- 3,309 inmates received facility identification cards
- Additionally, 233 MVA identification cards were obtained and placed in inmate base files
- 1,297 birth certificates were obtained and placed in inmate base files, 100 of which were from other states
- 1,082 social security cards were obtained and placed in inmate base files

DPSCS Release Population

Over the course of calendar year (CY) 2021, the Department's Division of Corrections (DOC) released a total of 4,219¹ inmates to the community. It is important to note here that typical reporting on the State correctional population, including intakes and releases, is commonly measured according to State fiscal year, so public figures will differ from those listed within this report. The figure reported above reflects community releases, or instances in which an individual is at liberty after leaving the Department's custody. This is in contrast to all release reasons, which include release directly to the custody of another correctional entity, escape, or death. In cases of release to another custodial entity, all documents acquired for the inmate are transferred along with their personal effects for use upon their eventual release. Community releases better reflect those releases where the inmate undergoes re-entry activities designed to prepare them for return to community activity, and when they are provided their identification documents upon release.

Of the 4,219 community releases in CY 2021 that were examined, there are different types of release, which carry different re-entry preparation and conditions. Figure 1 shows the breakdown of community releases in 2021 by release type. Release upon expiration of sentence indicates that the inmate was in custody until the latest data dictated by their sentence length. This applies to all local jail sentences for Baltimore City, and can include very short sentence lengths. Releases onto continued supervision occur after a parole or probation revocation hearing, and can trigger immediate release or follow short hold periods of 45 days or less. Releases due to court order are not at the discretion of the Department, and can occur at any time regardless of projected release date. Releases to mandatory supervision occur before the latest expiration date, and are projected based on earned diminution credits. Parole releases occur after parole is approved and all conditions are met, but can at times be triggered before the scheduled parole release date. Administrative releases and medical paroles constituted less than 2% of all releases in 2021.

Figure 1: 2021 Releases by Release Type



¹ This figure does not include 106 records where an inmate was not released (i.e. data corrections, deaths, escapes), 58 who were not within the Department's custody, and 756 releases directly to another correctional custody/detention.

Release Identification Policy and Procedure

Since 2008, DPSCS has processed birth certificate applications, social security applications and MVA IDs. Historically there was a specific unit within DPSCS that handled all monitoring of this endeavor. Due to turnover rates within the Department, changeover in staff resulted in variations in documentation in the absence of a formal release policy dictating inmate identification documents. As a result of the Office of Performance Evaluation and Government Accountability (OPEGA) audit, the Department drafted a policy to definitively outline the procedures and processes as it pertains to adhering to CSA 9-609.1. It should be noted that timeframes outlined in DPSCS policy are subject to change should the criteria change in the memoranda of understanding with Social Security Administration, Division of Vital Records, and Motor Vehicle Administration.

The Department begins, at intake, the process to secure any important identification documents an individual has on them at the time of arrest or intake. These documents are safeguarded in the inmate base file. It is important to note here the volume of inmates who enter DOC custody from local detention centers. If a local detention center does not allow an inmate to retain these documents, they will not transfer to State custody with these documents. Later, during the intake interview, the Department has the ability to begin the process of identifying what documents individuals already have in their possession, and what they authorize the Department to assist them in.

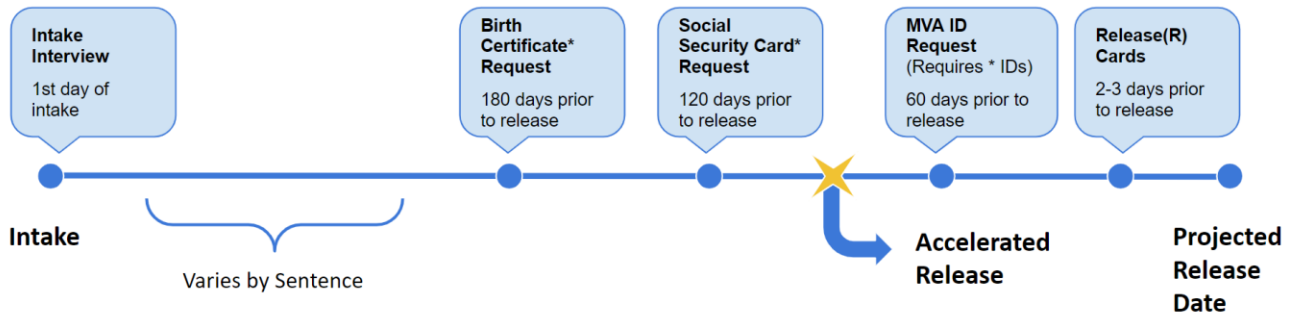
Inmates leave the Department's custody through many different release mechanisms. Some release reasons imply a hastened end to incarceration, which can be marked by an abrupt interruption in re-entry activities that are already underway or planned. Court ordered releases or releases onto continued supervision are not projected releases, and can sidestep the re-entry timeline. Inmates returned to State correctional facilities on a retake warrant are held in regional intake facilities pending the outcome of their revocation process. These inmates who are continued onto supervision (mandatory or parole) typically have very short stays in the Department's custody (45 days or fewer). By definition, these inmates have undergone the re-entry process at least once before during their prior release from DOC custody. Accelerated paroles, which include presumptive administrative release and medical or geriatric parole which can be approved conditionally. Releases upon expiration of sentence, releases onto mandatory supervision, or future parole releases are typically preceded by a projected release date. These release reasons are summarized below, according to their typical timeline:

Table 1: Release Reasons and Re-entry Planning Timeline

Accelerated Timeline	<ul style="list-style-type: none"> • Court Ordered Release • Continued onto Mandatory Supervision or Parole • Accelerated Parole (Administrative Release, Medical, and Geriatric)
Scheduled Release Timeline	<ul style="list-style-type: none"> • Expiration of Sentence • Mandatory Supervision • Projected Parole

The distinction between these release types is whether or not they follow the typical re-entry timeline, where a Case Management Specialist has access to a projected release date upon which to schedule the sequential steps for obtaining identifying documents for an inmate. The timeline in Figure 2 illustrates how the projected release date directs when documents are requested and how accelerated releases can interrupt this linear process.

Figure 2: Timeline of Release Document Process



Individuals released in line with their projected release dates were more likely to have additional identification documents beyond a facility issue release identification card. Of inmates released to the community on mandatory supervision, parole, or upon expiration of sentence 37.5% had at least one additional identification document, compared to 12.1% of inmates released due to court order, accelerated parole, or continued on supervision following a revocation hearing.

Release Identification Documents Provided in 2021

Birth Certificates

In 2021, the Department released 1,040 individuals who had a birth certificate enclosed in their release documents. An additional 134 inmates had a birth certificate that had been obtained, but it is unclear whether it was included in release documents. Of those released, 3,224 did not have a birth certificate obtained by the Department. The Department does not have comprehensive documentation on the number of inmates who refused assistance, or already had a copy of their birth certificate, but did note in 1,493 releases that a birth certificate was not applicable.

Social Security Cards

In 2021, the Department released 1,085 individuals who had a social security card enclosed in their release documents. An additional 146 inmates had a social security card that had been obtained, but it is unclear whether it was included in release documents. Of those released, 3,167 did not have a social security card obtained by the Department. The Department does not have documentation on the number of inmates who refused assistance, were ineligible, or already had a copy of their social security card, but did note in 1,500 releases that a social security card was not applicable.

MVA Identification Cards

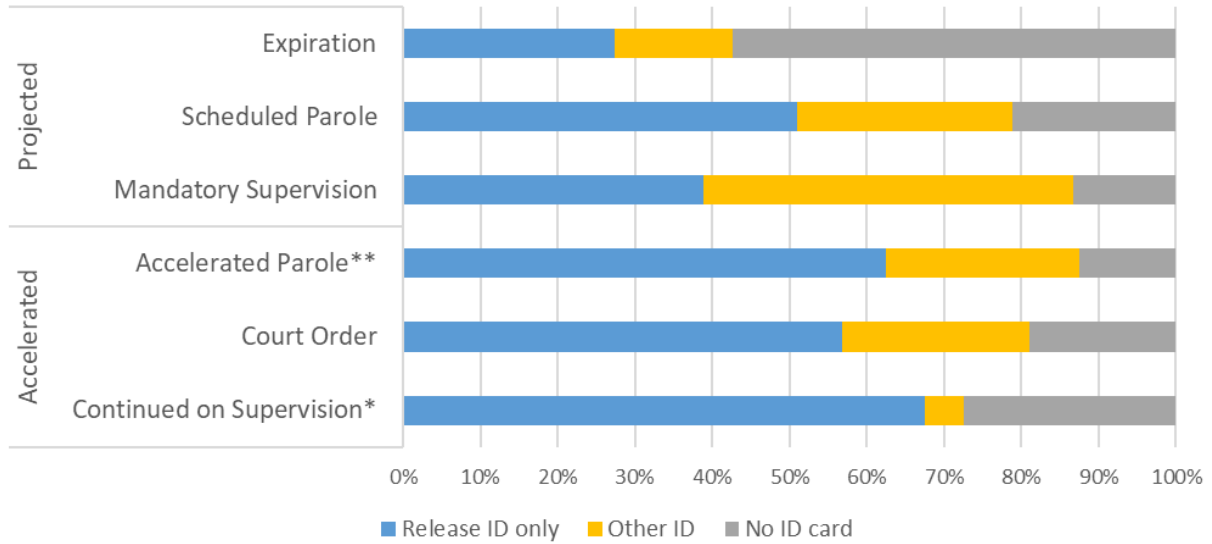
In 2021, the Department released 281 individuals who had an MVA issued Identification card enclosed in their release documents. An additional 60 inmates had an MVA issued Identification card that had been obtained, but it was unclear whether it was included in release documents. Only 830 individuals released to the community had both the birth certificate and social security cards that are prerequisites for obtaining MVA identification cards. Of those released, 4,057 did not have an MVA issued Identification card obtained by the Department. The Department does not have comprehensive documentation on the number of inmates who refused assistance, were ineligible, or already had a valid MVA identification card, but did note in 1,957 releases that an MVA identification card was not applicable.

Release Document Outcomes

Many factors impact whether release documents are provided to an inmate prior to release. Because release dates are subject to change by outside criminal justice decision makers, and length of stay for short revocations and short local sentences may not be long enough for the Department to facilitate these processes on an inmate's behalf, outcomes vary widely for some inmates regardless of their willingness to participate. The Department does not currently have a large-scale means to validate how many inmates are ultimately eligible and in need of these documents, which would better contextualize the number that received them annually. In Figure 3 outcomes are broken down by release type. This shows how releases associated with a more consistent re-entry timeline are more likely to have additional identification documents. Regardless, inmates released due to accelerated or expected reasons have a similar rate of

provision of facility-issued release identification cards (both near 76%). In 2021, release document provision was lowest for inmates continuing onto community supervision following a short revocation hold or hearing.

Figure 3: Identification Trends By Release Reason²



² *This includes all continuations onto mandatory supervision, administrative release, and parole

**Accelerated forms of parole include medical parole and administrative release

Conclusion

In general, most (77.2%) inmates leaving custody have some form of identification. Most inmates leave with facility-issued release identification cards, which due to formal agreement with the MVA will aid in obtaining a state ID with waived costs for 60 days post release. In 2021, nearly a third of (30.9%) inmates were released to the community with at least one identification document beyond a facility-issued identification, and were also provided either a birth certificate, social security card, or MVA-issued identification.

Existing re-entry planning processes are more effective when there is a predictable release date, and during sentences where there is adequate length to begin these processes. Given the implementation of new, specific policy to guide release identification provision, the Department expects better documentation and clearer outcomes in CY 2022. Release identification provision was highest among those inmates who will continue their re-entry process under community supervision.

The COVID-19 pandemic affected the Department's ability to conduct business with federal and state agencies to meet this mandate. Federal and state agencies' response to the COVID-19 pandemic was similar to that of the Department. Site closures and increase in staff teleworking impacted the receipt of completed applications for processing birth certificate, social security card, and MVA ID applications. These barriers have been less impactful during CY 2022 as state operations reopen fully.