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EVALUATION OF THE  
DIVISION OF CORRECTION –  
ISSUANCE OF IDENTIFICATION CARDS  
JANUARY 2022

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OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY  
DEPARTMENT OF LEGISLATIVE SERVICES  
MARYLAND GENERAL ASSEMBLY

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**Evaluation of the  
Division of Correction –  
Issuance of Identification Cards**

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**Department of Legislative Services  
Office of Program Evaluation and Government Accountability  
Annapolis, Maryland**

**January 2022**

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**OFFICE OF PROGRAM EVALUATION AND**  
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**MARYLAND GENERAL ASSEMBLY**

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January 11, 2022

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Delegate Carol L. Krimm, House Chair, Joint Audit and Evaluation Committee  
Members of the Joint Audit and Evaluation Committee

Ladies and Gentlemen:

The Office of Program Evaluation and Government Accountability has conducted a performance evaluation of the Department of Public Safety and Correctional Services' (DPSCS) Division of Correction (DOC), specifically, the issuance of identification cards to individuals released from corrections. This evaluation was performed consistent with § 2-1234 of the State Government Article.

The report includes five recommendations. Proposed legislation is included as Appendix B. The responses to this report from DPSCS are included as Appendix A.

We wish to express our appreciation for the cooperation extended to us by DPSCS and DOC.

Respectfully submitted,

Michael Powell  
Director

MP/mpd



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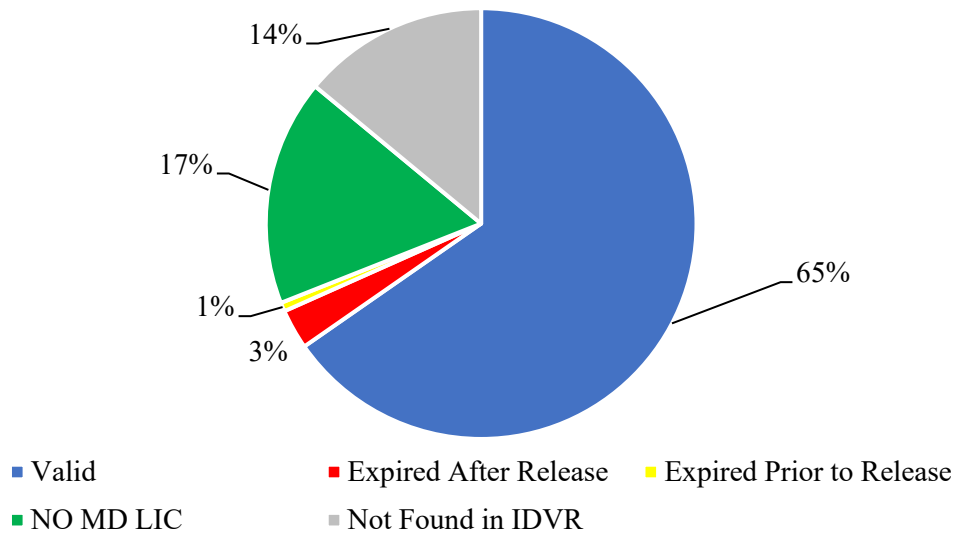
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## Evaluation of the Division of Correction – Issuance of Identification Cards Executive Summary

Each year, thousands of inmates are released from correctional facilities. The Division of Correction (DOC) assists many releases with obtaining a primary form of identification, such as a driver’s license or State-issued identification card. Over the past three years, around 68% of releases had a primary form of Maryland identification after they were released.

### Current MVA ID Status of Individuals from Releases Reviewed Based on IDVR Comparison (Total)

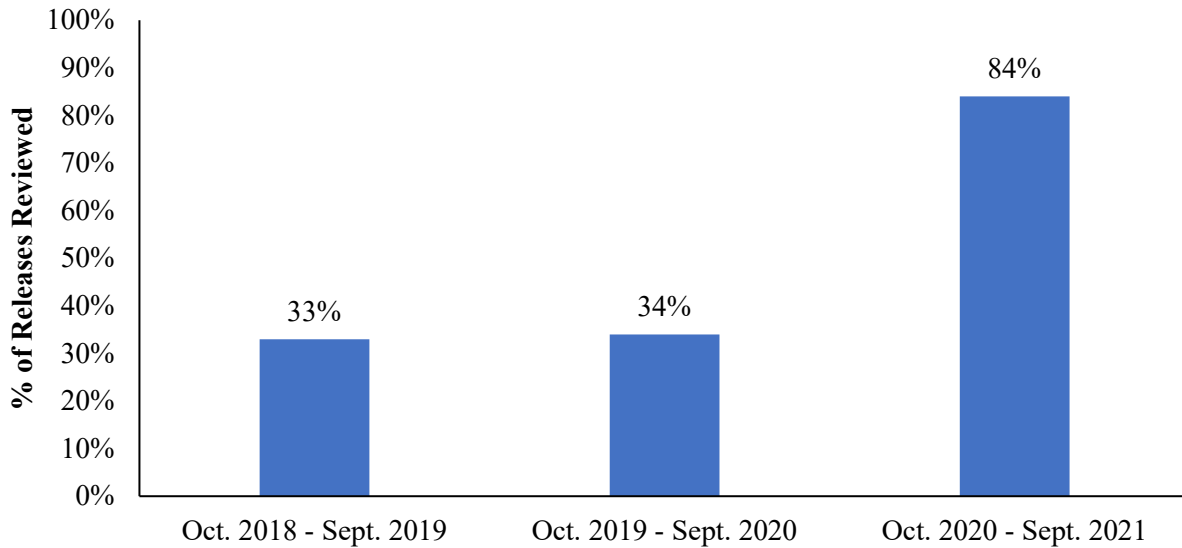


ID: identification card  
 IDVR: Interactive Driver and Vehicle Record  
 LIC: license  
 MVA: Motor Vehicle Administration

Documentation that a secondary form of identification called an R-card was provided has increased.



## R-cards Issued for the Releases Reviewed



## Summary of OPEGA Recommendations

1. DOC should enter all status information in Offender Case Management System to track the process of obtaining the various identification documents.
2. The Maryland General Assembly should consider amending current law to include language addressing DD214 and MVA ID.
3. DOC should produce a written policy regarding the division's role in the collection, status tracking, and distribution of identification documents.
4. DOC should provide guidance for local correctional facilities who must meet the requirements of Section 9-617 of the Correctional Services Article.
5. DOC should work with the Motor Vehicle Administration (MVA) to begin the process to obtain an MVA ID earlier in the release process.

## **Introduction**

### **Scope and Purpose**

The Joint Audit and Evaluation Committee requested, pursuant to § 2-1234 of the State Government Article, that the Office of Program Evaluation and Government Accountability (OPEGA) conduct a performance evaluation of the Department of Public Safety and Correctional Services' (DPSCS) Division of Correction (DOC). Specifically, the evaluation focuses on the issuance of identification cards (ID cards) and related documents to inmates before release from confinement in a State correctional facility (Correctional Services Article § 9-609.1). The Evaluation Request letter is included as **Appendix D**.

### **Methodology**

The research questions for this evaluation were:

- What is the process, from intake to release, by which DOC handles the issuance of ID cards to inmates on release?
- Does DOC provide ID cards issued by the Motor Vehicle Administration (MVA) to all eligible inmates at release? If not, does DOC issue another form of identification to eligible inmates? In what ways can it be improved?
- What barriers exist that interfere with DOC's ability to provide ID cards or other support upon release?
- What coordination exists between DOC and other State agencies to facilitate support upon release?

These questions were answered using the following data collection methods:

- document review;
- interviews;
- analysis of information from DPSCS Offender Case Management System (OCMS); and
- analysis of information from the Maryland Department of Transportation MVA Interactive Driver and Vehicle Record (IDVR) system.

Documents reviewed were:

- State of Maryland statutes; and
- memoranda of understanding (MOU) between DOC and MVA as well as between DOC and the Social Security Administration (SSA).

Interviews (structured and unstructured) were conducted with:

- The Commissioner of Corrections and other DOC staff; and
- MVA staff.

Data analysis was conducted in the following manner:

OCMS database:

- DPSCS' Office of Data Development generated a random sample of 300 releases from DOC facilities;
- the 300 releases included 100 releases over the course of three consecutive years beginning October 1, 2018, and ending September 30, 2021;
- the 300 releases are comprised of 294 individuals because an individual can be released more than once during the same reporting period.<sup>1</sup>
- OPEGA staff viewed the names and State identification numbers of the releasees in the OCMS database; and
- OPEGA staff collected relevant data regarding assistance received by releasees from DOC to obtain a birth certificate, Social Security card, DD214, or identification.

IDVR database:

- OPEGA staff searched IDVR for the names and birth dates of the individuals included within the 300 random releases from DOC; and
- OPEGA staff collected data from IDVR for the individuals found to have an MVA issued ID.

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<sup>1</sup> An inmate can be initially released on mandatory supervision, then violate the terms of supervision and be returned to custody before being released again.

## Background and Current law

### Types of Identification

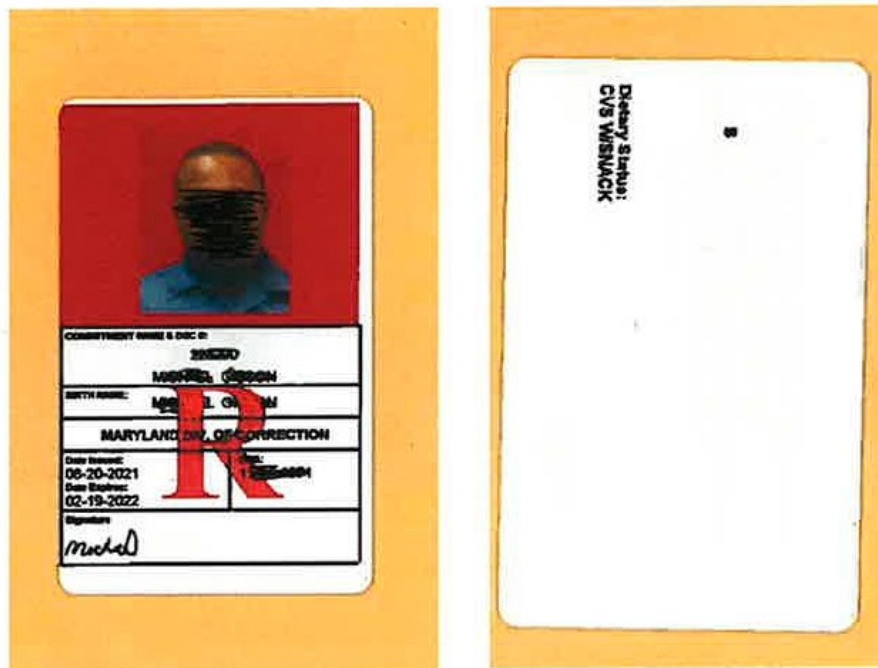
Under the federal REAL ID Act, MVA’s ID requirements made it necessary for an applicant to have multiple primary or secondary documentation to help in deterring the issuance of fraudulent ID cards. Generally acceptable proof of identity includes original or certified documents with full name and date of birth. There are several acceptable primary forms of ID in the State including a State-issued driver’s license or identification card, a Social Security card (or a Social Security number), an original or certified birth certificate, military identification, and a U.S. passport. Forms of secondary identification include military discharge papers (DD214) and a DOC issued release card.

### Release Card

A release card (most commonly referred to as an R-card) is a form of photographic identification printed and distributed by DOC to inmates upon release (see **Exhibit 1** for an R-card example).

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**Exhibit 1**  
**R-card Example**



The Commissioner of Correction must issue an identification card to an inmate before release from confinement in a State correctional facility. The identification card must meet the requirements for secondary identification for the purpose of an identification card issued by MVA.

DOC and MVA both acknowledge that the issuance of the DOC R-card complies with statutory requirements as secondary identification.

### State-issued Driver's License

Each application for a driver's license must be made on the form that MVA requires. The application must include, among other things, the applicant's full name, Maryland residence address, race, sex, height, weight, general physical condition, date of birth, and any other pertinent information required by MVA. An applicant must also provide specified documentary evidence that the applicant has a valid Social Security number or that the applicant is not eligible for a Social Security number. Each noncommercial Class A, B, C, or M license issued by MVA must be of the size, design, and content specified by MVA, including the licensee's name and residence address, date of birth, a description, height, weight, sex, a color photograph, the type or class of vehicles that the license authorizes the licensee to drive, the signature and seal of the issuing agent, and a space for the signature of the licensee. When issued and signed, a driver's license authorizes the licensee to drive any vehicle of the type or class specified on it, subject to any restrictions endorsed on the license. See **Exhibit 2** for a sample Maryland driver's license.

### Exhibit 2 Sample Maryland Driver's License



A Maryland noncommercial driver's license issued to an applicant age 21 or older is valid for a maximum of eight years. MVA typically sends a renewal notice at least 60 days before a license expiration date. An applicant does not need the notice to apply. If the applicant is age 25 or older, the individual may apply for a renewal license at any time during the period from six months before the license expires to one year after it expires. (A person is prohibited from driving, or attempting to drive, with an expired license.)

If an individual is younger than age 21, the applicant must wait until his or her twenty-first birthday or thereafter to renew; the applicant's license will expire no later than 60 days after his or her twenty-first birthday.

The renewal fee for an eight-year noncommercial driver's license is \$48.

### **State-issued Identification Card**

Upon application, MVA must issue an identification card to any applicant who:

- is a resident of this State;
- does not have a driver's license;
- presents a birth certificate or other proof of age and identity acceptable to MVA;
- provides documentary evidence, acceptable by the U.S. Department of Homeland Security (DHS) by notice published in the Federal Register, that the applicant has lawful status;
- provides satisfactory documentary evidence that (1) the applicant has a valid Social Security number by presenting the Social Security card (or specified documents if the card is not available) or (2) the applicant is not eligible for a Social Security number; and
- presents a completed application for an ID card on the appropriate form.

MVA issues a photographic identification card for inmates nearing a release date on confirmation of the applicant's identity via (1) two "primary" sources of identification (*e.g.*, birth certificate and Social Security card) or one primary plus two "secondary" sources of identification and (2) two "proofs" of Maryland residence.

The fee for an ID card is \$15 for an applicant younger than age 18 and \$24 for an applicant age 18 or older. An ID card for an individual experiencing homelessness is \$1. A duplicate or correction ID card is \$20. MVA is not required to charge a fee in specified circumstances and is prohibited from charging a fee when an applicant applies for an ID card and presents an R-card and Social Security card.

An ID card must be of the size and design MVA requires, and tamperproof, to the extent possible. The card must contain the following information:

- the name, address, birth date, sex, and description of the applicant;
- a color photograph taken by the appropriate procedure required by MVA;
- the expiration date of the ID card;
- the applicant's signature; and
- the signature and seal of the issuing agent.

An ID card may be used as legal identification of the individual to whom it is issued for any purpose.

An ID card issued to an applicant who is age 18 or older is valid for eight years; for an applicant younger than age 18, the ID card is valid for five years. If an applicant has temporary lawful status, the administration may not issue an identification card to the applicant for a period that extends beyond the expiration date of the applicant's authorized stay in the United States or, if there is no expiration date, for a period longer than one year. An ID card must be surrendered by the holder upon being issued a Maryland driver's license. See **Exhibit 3** for a Maryland ID card example.

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### Exhibit 3 Maryland ID Card Example



### **Birth Certificate**

The Division of Vital Records (DVR) in the Maryland Department of Health maintains a statewide system for registering, indexing, filing, and protecting all records of birth occurring in the State and issues birth certificates to certify the circumstances of a birth. DOC has a MOU with DVR to help facilitate the acquisition of a birth certificate by an inmate.

### **Social Security Card**

A Social Security card is issued to U.S. citizens, permanent residents, and temporary residents and is most notably needed for the U.S. government to accurately record a person's covered wages or self-employment earnings, and to monitor accumulated Social Security benefits. In order to obtain a new Social Security number and card, at least two documents are needed to prove age, identity, and U.S. citizenship or current immigration status. SSA will only accept certain documents as proof of identity. An acceptable document must be current (not expired) and show name, identifying information (date of birth or age) and preferably a recent photograph.

An individual is allowed to request replacement of a lost or stolen Social Security card up to three times a year, but not more than 10 times during the individual's lifetime.

DOC also has an MOU with SSA to help facilitate the acquisition of a Social Security card by an inmate.

### **Military Discharge Papers**

A military discharge Form 214, commonly referred to as just DD214, is issued by the Department of Defense to each veteran to identify the veteran's condition of discharge. Types of discharge include honorable, general, other than honorable, dishonorable, and bad conduct. A DD214 contains information normally needed to verify military service for benefits, retirement, employment, and membership in veterans' organizations.

### **Division of Correction**

DOC operates 13 correctional facilities, including 2 prerelease units and the Maryland Correctional Institution for Women in accordance with applicable State and federal law. The division works to protect the public, its employees, and offenders under its supervision, and works to return offenders to society with the necessary tools for success by offering job skill improvement, educational programming, mental health therapy, and drug treatment. In fiscal 2021, DOC housed approximately 15,560 inmates.

In 2008, in response to a *Joint Chairman's Report*, DPSCS advised that an important component of inmate release planning was the role of DOC in facilitating and expediting the provision of personal identification documents for inmates prior to release. To this end, DOC began inter- and intra-agency planning and collaboration on this issue.



DOC signed individual MOUs with MVA, DVR, and SSA to establish a process for inmates to obtain identification documents while still incarcerated. The MOUs authorized DOC case managers, after consultation with an inmate, to submit the necessary applications to the appropriate outside government agency. The plan was to standardize the process for all correctional facilities to enhance the consistency and efficiency of completing applications, in order that more inmates obtained documentation. In addition to its general assistance to inmates in obtaining the primary documents for an MVA identification card, DOC and MVA entered an MOU to provide mobile MVA service visits to the Brockbridge Correctional Facility, the central point for inmate release for the six facilities in the Maryland Correctional Pre-Release System. Inmates were processed monthly prior to release from the six facilities for the MVA identification cards. The pilot program expanded to include two other locations by the end of 2009.

Chapter 215 of 2009, effective October 1, 2009, requires the Commissioner of Correction to issue an ID card to an inmate before being released from confinement in a State correctional facility. The ID card must comply with the requirements for secondary identification for the purpose of an ID card issued by MVA. Chapter 215, in essence, codified what was then current practice, including the pilot program operating under the MOU between DOC and MVA. In practice, releasees were allowed 60 days post-release to obtain an MVA-issued ID for \$2 by presenting the releasee's R-card, Social Security card, birth certificate, DOC discharge documents, and residency paperwork at a local MVA office. DOC purchased new equipment and software to provide inmates with R-cards that were acceptable to MVA as a secondary source of identification for the MVA ID card.

Chapter 514 of 2020, effective October 1, 2020, requires DPSCS through DOC to begin the process of obtaining an inmate's birth certificate upon taking custody of the inmate. If the inmate's birth certificate is obtained, DOC must provide the inmate with the birth certificate before release from confinement. DOC must also apply to SSA to obtain an inmate's Social Security card (1) at the earliest date possible in accordance with any MOU between DOC and SSA (currently set at no more than 120 days prior to release) or (2) as soon as practicable. If the Social Security card is obtained, DOC must provide the inmate with the card before release from confinement. In either case, DOC may only obtain the documents if the inmate consents in writing.

In addition, Chapter 514 requires local correctional facilities to develop and implement a policy for assisting inmates to obtain identification cards issued by MVA, either before or after release from confinement.

MVA must issue an ID card at no cost to an applicant who presents (1) an R-card that displays the individual's full name, a photograph of the individual, and a unique identification number assigned to the individual by DOC and (2) the individual's Social Security card.

By January 5, 2022, DPSCS must report to the General Assembly the following information for the preceding calendar year: the number of ID cards issued to inmates; the number of birth certificates obtained for inmates (including the number of birth certificates obtained from each state); the number of Social Security cards obtained for inmates; and the

number of inmates released from a State correctional facility with or without ID cards and the above documents. DPSCS must continue to report this information annually through 2024.

OPEGA requested all statutes, regulations, general orders, and written procedures relating to the process for providing State ID cards, R-cards, birth certificates, and Social Security cards to releasees. At the time of completion of this evaluation, OPEGA has not received any general orders or written procedures.

DPSCS advises that, under the current partnership with MVA, DOC staff take necessary photographs for ID cards and electronically submit them to MVA. Once the photo is electronically submitted, the necessary application packet is transported by facility staff to the local MVA office for processing. DOC staff returns to the MVA office the following week and retrieves the ID cards. Not all inmates set for release are eligible for MVA ID cards. For example, ID cards are not provided to inmates who do not plan to reside in the State, to inmates with an outstanding detainer, if an inmate refuses, or if DPSCS does not receive the inmate's birth certificate or Social Security card.

## **Motor Vehicle Administration**

### **Applicants without Lawful Status**

MVA may issue an ID card (as well as a driver's license or moped operator's permit) to an applicant without lawful status under specified circumstances if the applicant would otherwise be eligible for that document (see § [16-122 of the Transportation Article](#) and [COMAR 11.17.21.04](#)). The applicant must provide documentary evidence that the applicant, for each of the preceding two years, has filed a Maryland income tax return or has resided in Maryland and been claimed as a dependent by an individual who has filed a Maryland income tax return. These documents are not REAL ID compliant and thus not acceptable by federal agencies for official purposes as determined by the Secretary of Homeland Security.

These documents must clearly state on their face and in the machine-readable zone that they are not acceptable by federal agencies for official purposes and must have a unique design or color indicator. The documents must also include a statement that the document may not be used to purchase a firearm.

### **REAL ID Act**

On May 11, 2005, President George W. Bush signed into law the REAL ID Act, which requires federal agencies to accept only personal ID cards that meet certain standards. DHS issued final regulations in January 2008. Pursuant to the regulations, MVA must verify the identity and lawful status of each applicant for a driver's license or ID card. Once fully enforced, driver's licenses and ID cards issued by states that are not in compliance with REAL ID standards will not be recognized for federal purposes, including accessing a federal facility and boarding a federally regulated commercial aircraft.

Due to the COVID-19 pandemic and the national emergency declaration, DHS extended the REAL ID enforcement deadline by one year (to October 1, 2021). In April 2021, Secretary of Homeland Security Alejandro N. Mayorkas again extended the REAL ID full enforcement date by 19 months, from October 1, 2021, to May 3, 2023, due to circumstances resulting from the COVID-19 pandemic.

## **What Are Other States Doing to Issue ID Cards to Inmates Before Release**

Below is a sample of laws in other states regarding the issuance of identification cards to inmates at release.

### **Arizona**

In Arizona, a release packet is developed up to 180 days prior to the inmate's release. The inmate and the Arizona Department of Corrections (ADC) staff are encouraged to discuss a release plan that is positive and promotes success. Each inmate has specific needs that must be met to make sure their transition to the community is positive and productive. These needs may include education, a GED, and training to develop the skills necessary to obtain employment. In addition, all inmates must have a birth certificate and Social Security card upon discharge. ADC staff will assist inmates to get these documents to help their successful return to the community.

### **Colorado**

Beginning September 7, 2021, the Colorado Department of Corrections (CDOC) is required to operate a program to assist offenders with acquiring state-issued identification cards and other identification documents, as necessary. By January 1, 2022, each participating offender must have a state-issued identification card upon release. CDOC may enter into agreements with the Department of Revenue and the federal SSA as necessary to operate the program. In addition, CDOC may promulgate rules or policies necessary for the administration of the program. By July 31, 2022, and each year thereafter, CDOC is required to post program information online, including the number of eligible offenders and the number of identification cards obtained.

### **California**

Since 2014, the California Department of Corrections and Rehabilitation and the Department of Motor Vehicles have been required to ensure that all eligible inmates released from state prisons have valid identification cards.

## **Florida**

The Florida Department of Corrections (FDOC) is required to provide every Florida-born inmate with a certified copy of his or her birth certificate and a state identification card before release from prison. For inmates born outside of Florida, FDOC is required to assist with completing forms needed to apply for a Social Security card, driver license, or state identification card. FDOC must also provide the inmate with the address of the appropriate agency near his or her expected release address where an identification card can be obtained. FDOC is not required to provide a birth certificate and state identification card to a Florida-born inmate who:

- already has a valid driver license or state identification card;
- has an active detainer, unless cancellation of the detainer is likely or if the incarceration for which the detainer was issued will be for less than 12 months;
- is released due to emergency release or conditional medical release;
- is not in FDOC's physical custody at or within 180 days before release; or
- is subject to sex offender residency restrictions and does not have a qualifying address.

## **Maine**

Case managers within the Department of Corrections, at least three months prior to an inmate's projected release date, must verify that the inmate has two forms of identification acceptable for employment purposes or a current passport. If the inmate does not have the required documents, the case managers must assist the inmate to obtain the documents.

## **North Carolina**

The Division of Adult Correction of the Department of Public Safety must assist each inmate who is within six months of release from custody to apply for (1) a Social Security card; (2) in cooperation with the Division of Motor Vehicles, a driver's license, duplicate driver's license, learner's permit, or special identification card; and (3) in cooperation with the State Registrar of Vital Statistics, a certified copy of the inmate's birth certificate for any inmate who was born in the state.

## Observations

**Observation 1: DOC has the ability to track the status of obtaining various identification documents. A majority of the releases reviewed were lacking status information.**

DOC captures information regarding the distribution of various identification documents in OCMS. Specifically, DOC tracks the role of the division in the process to assist an inmate in obtaining a:

- birth certificate;
- Social Security card;
- DD214;
- R-card; and
- MVA ID.

The two main areas within OCMS where this information is entered and/or accessed is in the “Identification Documentation” tab and the “Release Documentation Envelope” tab.

The Identification Documentation tab can track various acquisition stages of each document while the inmate is in custody. The matrix tracks specific documents, specific actions, and the date for the action. **Exhibit 4** shows an example of how this matrix would appear.

**Exhibit 4**  
**Identification Documentation Tab Matrix\***

<u>Identification Documentation</u>	<u>Initial Interview</u>	<u>Applied</u>	<u>Received</u>	<u>In Base File</u>	<u>Inmate Declined</u>	<u>Out-of-State</u>	<u>Foreign Born</u>	<u>Name Error</u>	<u>MVA Decline</u>
Birth Certificate Status		12/4/17	12/18/17	12/18/17					
Social Security Status		11/21/17	12/27/17	12/27/17					
DD214 Status									
DOC Release ID Status									
MVA ID Card Status		1/19/18	2/16/18	2/16/18					

\* In this example, DOC applied for the inmate’s birth certificate on 12/4/17, Social Security card on 11/21/17, and MVA ID card on 1/19/18. DOC received the documents on 12/18/17, 12/27/17, and 2/16/18, respectively. Each document was placed in the base file on the dates received by DOC.

DOC: Division of Correction  
ID: identification card  
MVA: Motor Vehicle Administration

The Release Documentation Envelope tab is an electronic representation of the release envelope distributed to an inmate upon release. (See **Appendix C** for a sample of the Release Documentation Envelope). It can show what documents DOC provided to the inmate upon release from a DOC facility. This tab shows information for identification documents as different fields with drop down options indicating if the document is enclosed. **Exhibit 5** shows an example of how the Release Documentation Envelope is viewed in OCMS.

**Exhibit 5**  
**Release Documentation Envelope Tab\***

Birth Certificate	Enclosed	Social Security Card	Enclosed
DD214	N/A	Division of Correction ID	Not Enclosed
MVA ID	Enclosed	Release Home Plan Resource Packet	N/A

\* In this example, the release envelope contained the inmate’s birth certificate, Social Security card, and Motor Vehicle Administration identification card.

OPEGA reviewed a random sample of 300 releases, equally distributed over a three-year period, to determine whether there was evidence that the inmate received the various identification documents at release. For each of the 300 releases, OPEGA reviewed the Identification Documentation tab and the Release Documentation tab and collected evidence regarding the status of each document.

The status information collected may include:

- initial interview (II);
- applied for document (A);
- document received (R);
- inmate declined assistance obtaining the document (InDec);
- document is in the base file<sup>2</sup> (IBF);
- MVA declined to issue the document (MVA-Dec); or
- status information blank (B).

**Exhibit 6** shows an example of the collection process. Each row represents a different inmate.

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<sup>2</sup> Base file is a hard copy of the inmate's case record.

**Exhibit 6**  
**Example of OPEGA Collection of ID Status Information**

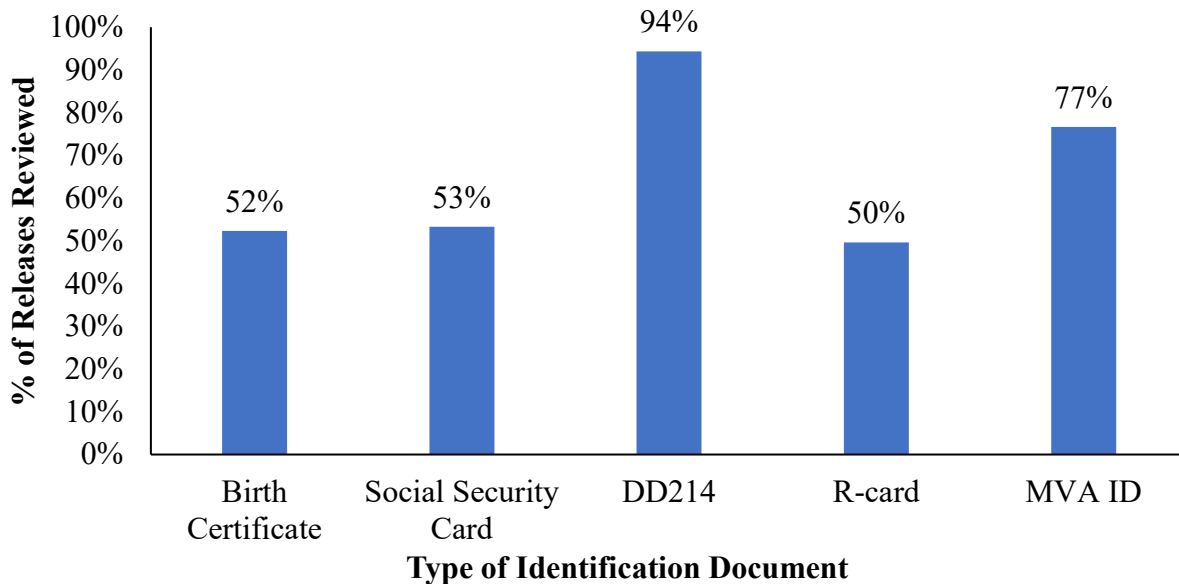
<u>BC Status</u>	<u>SSC Status</u>	<u>DD214 Status</u>	<u>DOC Release ID Status</u>	<u>MVA ID Card Status</u>	<u>ID in Envelope</u>	<u>Listed in Base File?</u>
B	R (12/28/18)	B	B	B	B	SSC
R (7/10/14)	R (7/8/14)	B	B	B	B	BC, SSC
R (5/24/19)	R (4/3/19)	InDec (8/27/19)	B	InDec (8/27/19)	B	BC, SSC
MVA-Dec (4/3/19)	MVA-Dec (4/3/19)	B	B	MVA-Dec (4/3/19)	B	B
R (12/4/18)	R (12/10/18)	InDec (12/10/18)	B	InDec (12/10/18)	B	BC, SSC
B	B	B	B	B	DOC ID	B
B	B	B	B	B	DOC ID	B

B: blank  
 BC: birth certificate  
 DOC: Division of Correction  
 ID: identification card  
 MVA: Motor Vehicle Administration  
 OPEGA: Office of Program Evaluation and Government Accountability  
 SSC: Social Security card

**Exhibit 7** shows the percentage of the 300 random sample releases with no information entered into OCMS regarding the status of each document.



**Exhibit 7**  
**No Status Information (Blank) in OCMS**



ID: identification card

MVA: Motor Vehicle Administration

OCMS: Offender Case Management System

No status information indicates that all data fields in OCMS that could provide evidence regarding the status of the document were blank. It does not mean that the inmate did not receive the document or that DOC did not assist in some capacity such as having an initial interview or applying for a document.

**Observation 2: MVA's IDVR showed evidence that 68% of the releases reviewed are individuals who either currently have a valid MVA ID or whose valid MVA ID expired after release from a DOC facility.**

MVA provides an interactive service that allows access to a driver's license history or motor vehicle information record for businesses and other entities that have a legitimate business need for the information. OPEGA utilized IDVR to search for individuals from the random sample of 300 releases reviewed for this evaluation. IDVR allows for a name and date of birth search and provides a Driving Record Information Report for the past 36 months.<sup>3</sup> This report includes customer information commonly found on an ID or driver's license including name, address, height, weight, race, sex, and date of birth.

<sup>3</sup> IDVR also allows other search methods including by driver's license number, as well as the ability to do a vehicle record search by VIN, title number, tag, or driver's license number.

- Driver’s license information including:
  - the most recent issue date of a license/ID;
  - the original issue date of a license/ID; and
  - the expiration date of a license/ID.
  
- A driver’s license history and convictions with dates and MVA-related activity notations, including if:
  - a new license was issued;
  - various notices distributed via mail were returned by the postal authority;
  - a license/ID has been surrendered to an out-of-state motor vehicle administration;
  - there have been any traffic violations; or
  - there are failures to comply with court orders that result in license/ID suspension, etc.

OPEGA focused on compiling dates of issuance, both most recent and original, and the expiration date for IDs and driver’s licenses of those individuals from the list of releases whose name and date of birth produced a corresponding driving record information report. **Exhibit 8** shows an example of the issue/expiration dates collected.

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**Exhibit 8**  
**Example of Dates Collected from IDVR**

	<b><u>Most Recent Issue Date</u></b>	<b><u>Original Issue Date</u></b>	<b><u>Expiration Date</u></b>
Person X	11/3/2018	2/22/2012	3/8/2026
Person Y	5/20/2021	11/17/2017	5/20/2029
Person Z	9/21/2021	2/24/2021	5/5/2029

IDVR: Interactive Driver and Vehicle Record

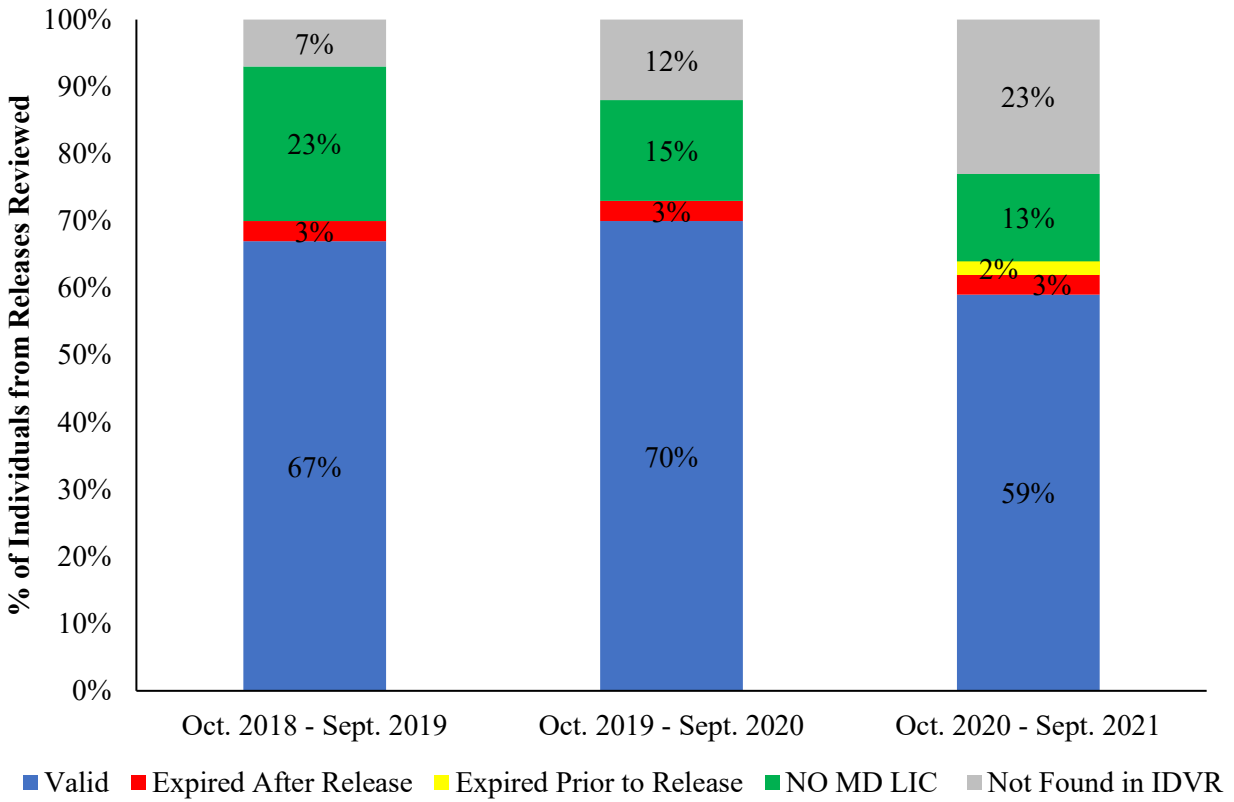
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Of the releases reviewed, 68% were individuals who either currently have a valid MVA ID or had a valid MVA ID, which expired after the individual's release date. This does not take into consideration whether any are suspended drivers licenses, nor can it account for lost or stolen IDs. Individuals who currently have a valid MVA ID could have received the ID after release from a DOC facility. The individuals that make up the 68% are those whose name and date of birth resulted in an existing report within IDVR and whose listed expiration date is later than the individual's release date. The remaining 32% are made up of individuals who:

- had a valid MVA ID issued with an expiration date prior to the individual's release date;
- were not found in IDVR based on name and date of birth; or
- had a record within IDVR with the designation of NO MD LIC.

The 'NO MD LIC' designation means that the individual is in the system, but either has never held a Maryland license or has not held a valid Maryland license for at least one year. Examples of an invalid Maryland license are if the license has expired, the person has moved to another state, or the person has been reported as deceased. **Exhibit 9** shows the breakdown of IDVR data across the three-year reporting period.

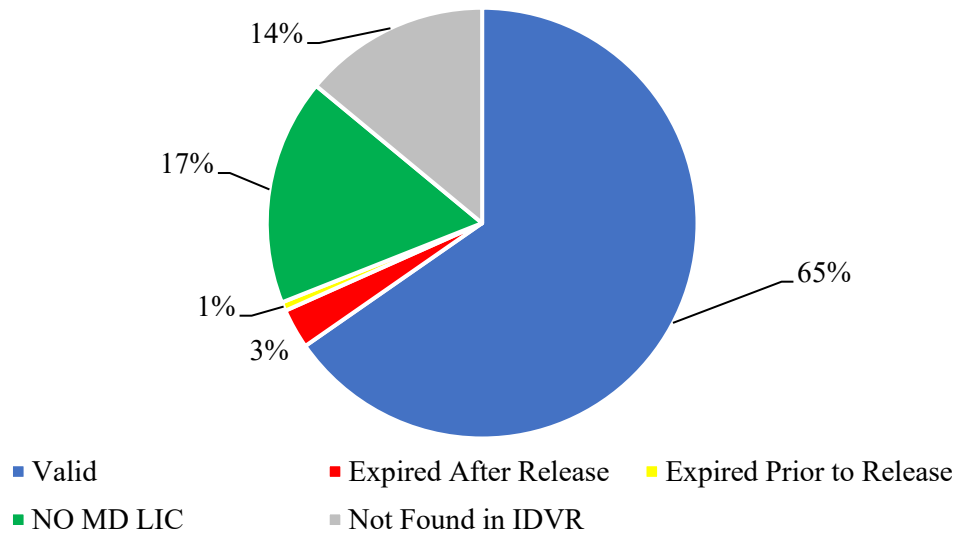
**Exhibit 9**  
**Current MVA ID Status of Individuals from Releases Reviewed Based on IDVR Comparison (Year by Year)**



ID: identification card  
 IDVR: Interactive Driver and Vehicle Record  
 MVA: Motor Vehicle Administration

**Exhibit 10** shows a breakdown for the total reporting period.

**Exhibit 10**  
**Current MVA ID Status of Individuals from Releases Reviewed Based on IDVR Comparison (Total)**



ID: identification card  
 IDVR: Interactive Driver and Vehicle Record  
 LIC: license  
 MVA: Motor Vehicle Administration

Overall, 65% of the individuals currently have a valid MVA ID and 3% had a valid MVA ID, which expired after their release date. Fourteen percent could not be found or had no record in IDVR database, 17% had a NO MD LIC designation, and 1% had a valid MVA ID that expired prior to release date.

**Observation 3: There has been an increase in the amount of status information entered into OCMS in each of the last three years.**

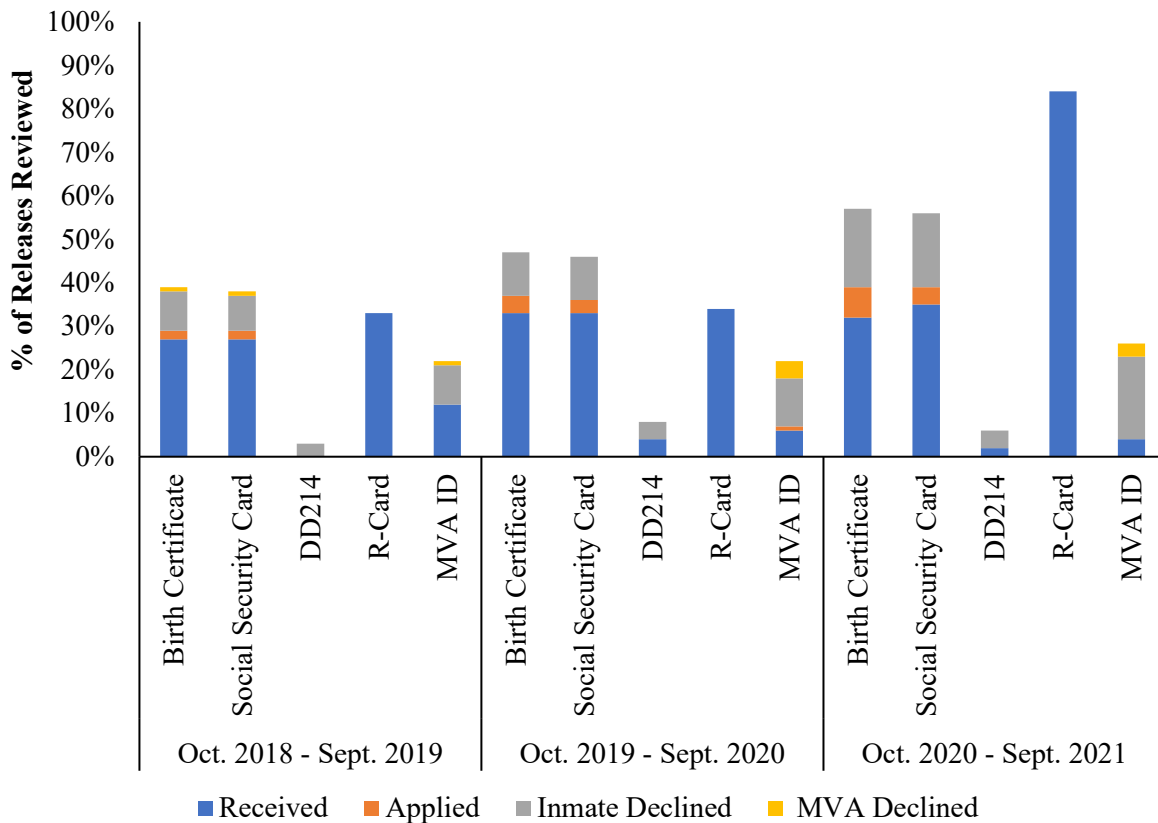
As previously discussed in the background section of this report, Chapter 514 of 2020 requires DPSCS, by January 5, 2022, to provide information to the General Assembly on the various identification documents for the previous calendar year. The three-year random sample reviewed for this evaluation was evenly distributed across three years, with each year starting on October 1 and ending September 30. The status information entered into OCMS and collected for the 300 release sample may include:

- DOC received the identification document;

- DOC applied for the document;
- the inmate declined assistance to obtain the document; or
- MVA declined to issue the document (for MVA ID).

Overall, there was an increase in the amount of status information entered into OCMS in each of the three years observed for this evaluation. **Exhibit 11** breaks down each type of identification document and the status observed, by percent of the total sample.

**Exhibit 11**  
**Status Information Noted in OCMS for Releases Reviewed**

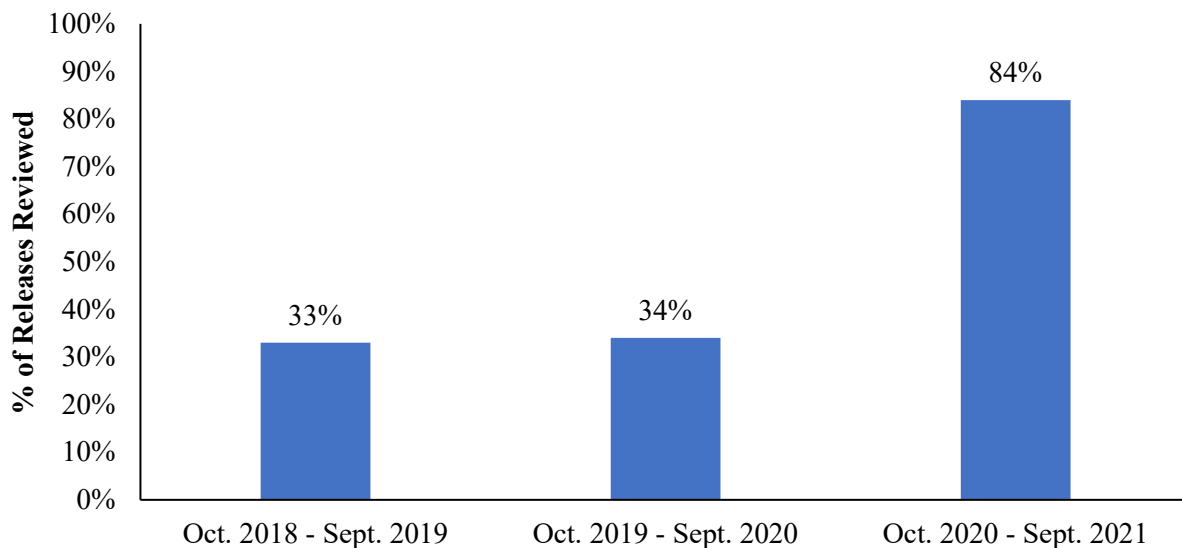


ID: identification card  
MVA: Motor Vehicle Administration  
OCMS: Offender Case Management System

**Observation 4: Eighty-four percent of releases reviewed since October 1, 2020, had evidence in OCMS that DOC issued an R-card.**

The Commissioner of Correction must issue an identification card prior to release that meets the requirements of a secondary identification for the purpose of obtaining an identification card issued by MVA. The division and MVA both acknowledge that the issuance of a R-card satisfies this requirement. There was evidence in OCMS that DOC issued an R-card in 84% of the releases reviewed in the final year of the reporting period. This is an increase of 50% from the year prior and 51% from two years prior. **Exhibit 12** shows the year-by-year percentage of releases where OCMS shows evidence that DOC issued an R-card.

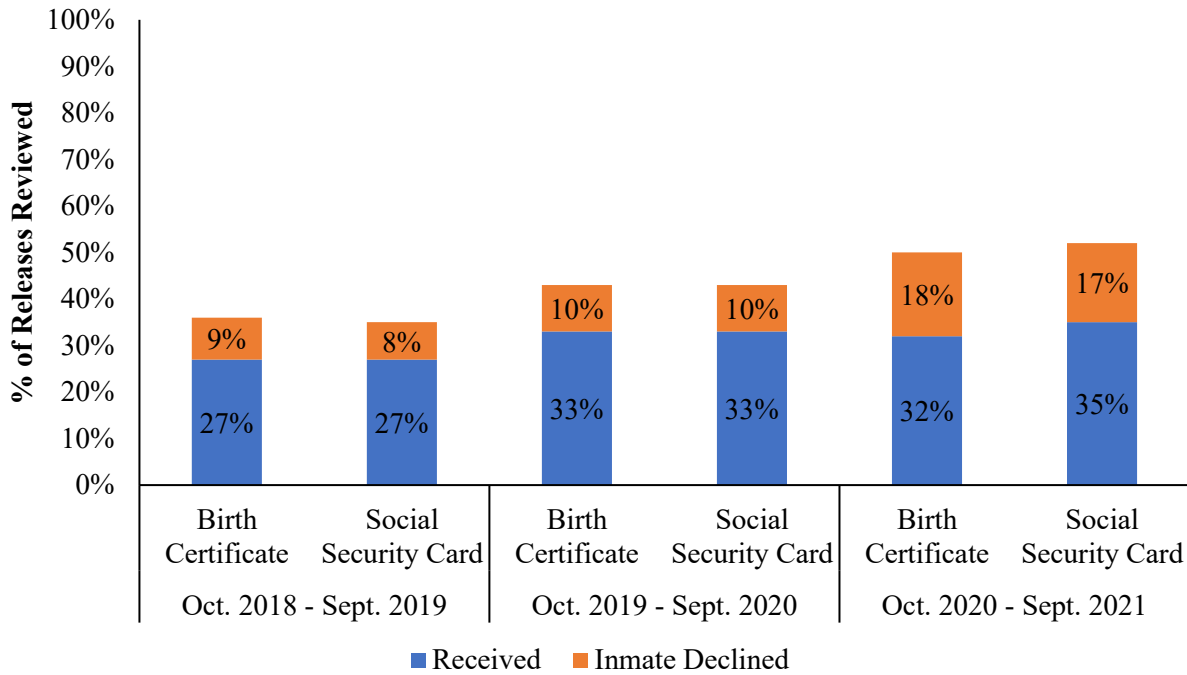
**Exhibit 12**  
**R-cards Issued for the Releases Reviewed**



**Observation 5: OCMS notations for inmates either receiving or declining birth certificates and Social Security cards increased in each year of the reporting period.**

An inmate must consent in writing to receive help from DOC to obtain a birth certificate and/or Social Security card. An inmate may decline assistance in obtaining either of these documents, which may be tracked in OCMS. There was evidence that the percentage of inmates either receiving or declining these documents has increased each year observed for this evaluation. **Exhibit 13** shows the percentage of inmates from the overall sample who either received or declined assistance to obtain a birth certificate or Social Security card by year.

**Exhibit 13  
Birth Certificates and Social Security Cards Received and Declined for Releases Reviewed**

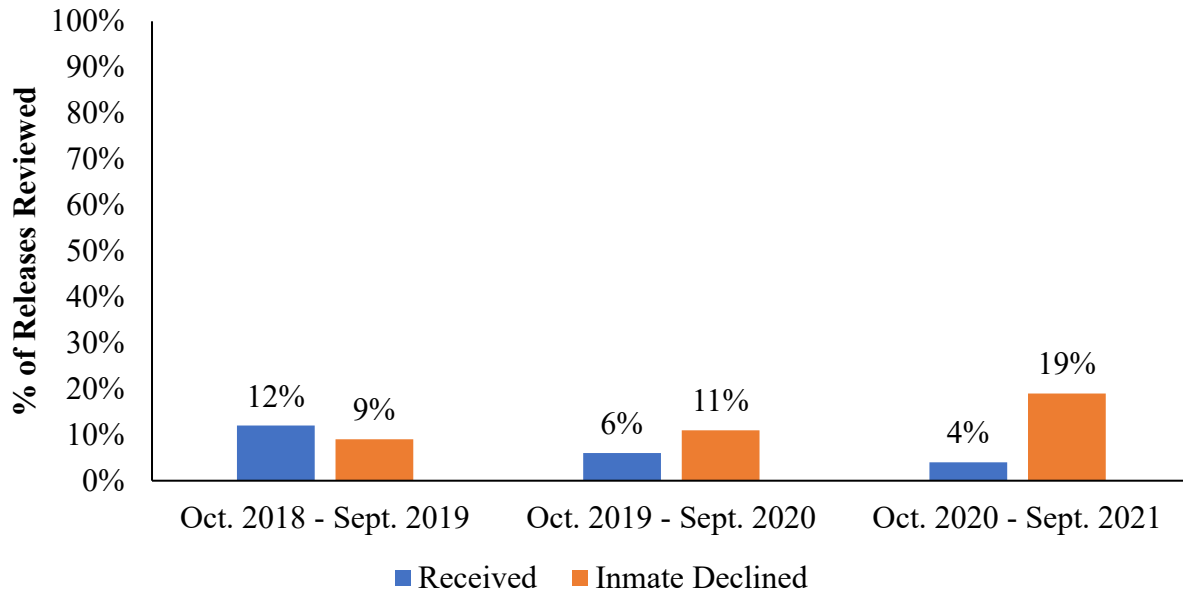


**Observation 6: The percentage of MVA IDs documented as received in OCMS decreased across the reporting period, while the percentage of inmates who declined assistance increased.**

DOC is not statutorily required to offer assistance for an inmate to obtain a DD214 or MVA ID, and in most instances OCMS does not include notations regarding the status of these two documents. OCMS noted that 6 inmates received a DD214, and 11 inmates declined assistance in obtaining a DD214 across the three-year reporting period. There was also evidence that the number of MVA IDs received decreased across the reporting period while the number of inmates who declined assistance increased. **Exhibit 14** shows the percentage of releases in which the individual either received or declined assistance in obtaining an MVA ID over the three-year reporting period.



**Exhibit 14**  
**Percentage of Releases Where Individual Either**  
**Received or Declined an MVA ID**



In the most recent year of the reporting period, the percentage of releases involving an individual who received an MVA ID was 4%, down from 12% in the first year of the reporting period. The percentage of inmate's who declined assistance in obtaining an MVA ID was 19% in the most recent year of the reporting period, up from 9% in the first year of the reporting period.

There were also eight instances in which the application for the MVA ID was declined by MVA. There are a few notes within OCMS that indicate this may occur:

- if the name on supporting documentation does not match;
- if the inmate plans to reside in a state other than Maryland upon release; or
- if there is not enough time prior to release to obtain the MVA ID.<sup>4</sup>

<sup>4</sup> In this instance it was also noted that the person may obtain an MVA ID for free upon release.

**Observation 7: OCMS provides multiple places for DOC staff to enter status information for identification documents. DOC did not provide any written procedures as to how this information should be entered.**

OPEGA requested that DOC provide any regulations, general orders, statutes, or written protocols dealing with the divisions role in obtaining identification documents. DOC provided a copy of Chapter 514 of 2020, which is discussed in the background section of this evaluation. DOC staff explained that the Identification Documentation tab (status while inmate is incarcerated) and the Release Documentation Envelope tab (documents received upon release) contain identification documentation data. At times one of these tabs would be blank while the other contained information, even though the two tabs were referencing the same document. **Exhibit 15** shows a comparison between the Identification Documentation tab and the Release Documentation Envelope tab for four individuals reviewed for this report.

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**Exhibit 15**  
**Comparison of OCMS Tabs with ID Data**

<u>Inmate</u>	<u>Identification Documentation Tab</u>	<u>Release Documentation Envelope Tab</u>
Person A	Blank	BC, SSC, DOC ID, MVA ID
Person B	Received a BC	Blank
Person C	Received a BC, SSC, Declined MVA ID	Blank
Person D	Blank	DD214, DOC ID

BC: birth certificate  
 DOC: Division of Correction  
 ID: identification card  
 MVA: Motor Vehicle Administration  
 OCMS: Offender Case Management System  
 SSC: Social Security card

- 
- Person A’s release envelope is shown to include a birth certificate, Social Security card, R-card, and an MVA ID. There is no mention of these documents on the Identification Documentation tab. Also, there is no notation of DOC completing an initial interview on the Identification Documentation tab.
  - Person B’s Identification Documentation tab indicates that a birth certificate was received. There is no indication that the birth certificate was included in the release envelope.
  - Person C’s Identification Documentation tab indicates that a birth certificate and Social Security card were received while assistance with an MVA ID was declined. There is no indication that the birth certificate or Social Security card were included in the release envelope.

- Person D's Identification Documentation tab is blank for all documents. The Release Documentation Envelope tab indicates that the release envelope included a DD214 and an R-card.

There were instances where the Identification Documentation tab indicated that a document was received but not included in the release envelope because DOC received the document after the inmate was released. Based on notes reviewed within OCMS and interviews with DOC staff, in these instances, the documents are mailed to the last known address or the address on file with the Division of Parole and Probation.

OCMS allows for DOC staff to leave notes regarding the status of identification documents in a confidential notes section and within notation fields on the Identification Documentation tab and Release Documentation Envelope tab. In addition, OCMS has a documents section where DOC staff can store copies of important case documents, which in a few instances included a scanned copy of the release envelope.

**Observation 8: The reason for an inmate's release can hinder DOC's ability to assist an inmate with obtaining certain identification documentation due to associated time restraints.**

DOC supplied the reason for release for each of the 300 releases reviewed for this report, as shown in **Exhibit 16**.

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**Exhibit 16**  
**Reasons for Release from DOC Facility**

<b><u>Release Reason</u></b>	<b><u>Oct. 2018 – Sept. 2019</u></b>	<b><u>Oct. 2019 – Sept. 2020</u></b>	<b><u>Oct. 2020 – Sept. 2021</u></b>	<b><u>Total</u></b>
Continued on Mandatory Supervision	7	6	7	20
Continued on Parole	10	10	7	27
Court Order	7	8	19	34
Expiration	23	8	7	38
Mandatory Supervision	46	41	52	139
Parole	7	25	7	39
Parole (ICC)	0	1	1	2
Parole (Medical)	0	1	0	1
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>300</b>

DOC: Division of Correction  
ICC: Interstate Corrections Compact

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DOC also provided OPEGA with a definition of each release reason that includes insight into how it relates to the acquisition of identification documentation:

- Court Release – 8-507 (meaning release for drug treatment under § 8-507 of the Health-General Article), vacated or stayed sentences. Historically have not received enough notification to process ID documents.
- Expiration – Expiration of sentence refers to individuals who are released at their latest release date of their sentence, with no day credits applied. By definition this encompasses all of the local jail-responsible sentenced population for Baltimore City but can also include individuals exiting State-sentenced custody. Depending on the sentence length there is the possibility the department would not have adequate notification to process documents.
- Parole – Releases granted by the Maryland Parole Commission (MPC). Delayed release at least 120 days in the future should be able to process ID documents. Immediate release, as soon as administratively possible, medical paroles would not yield sufficient notification to request documents.
- Mandatory Supervision Release – Inmate earned credits and by law is required to be released from DOC custody. This will be the majority of inmates that will have ID documents requested.
- Continued on Parole or Mandatory Supervision – Inmates who were in DOC facilities as a result of a retake warrant and were briefly awaiting a hearing and continued, or were previously held for a revocation period, which is typically short under the Justice Reinvestment Act (JRA) reforms. This category of individuals are typically not within DOC custody for a significant period of time.
- JRA Administrative Release – Inmate is serving a qualifying offense that meets eligibility criteria for automatic parole at a quarter of his/her time. This population is minimal in DOC. It is considered a parole release.
- Merged – This is not a physical release to the street. It is the combining of two DOC numbers because of revocation by MPC.
- Death.
- Escape.

DOC's ability to assist an inmate to obtain certain identification documents is related to inmate's date of release. DOC has MOUs with SSA and MVA to facilitate the process to obtain Social Security cards and MVA IDs respectively.

The MOU entered between DOC and SSA states in part that the terms of the MOU apply only to applications for replacement Social Security cards by inmates who are U.S. citizens and who:

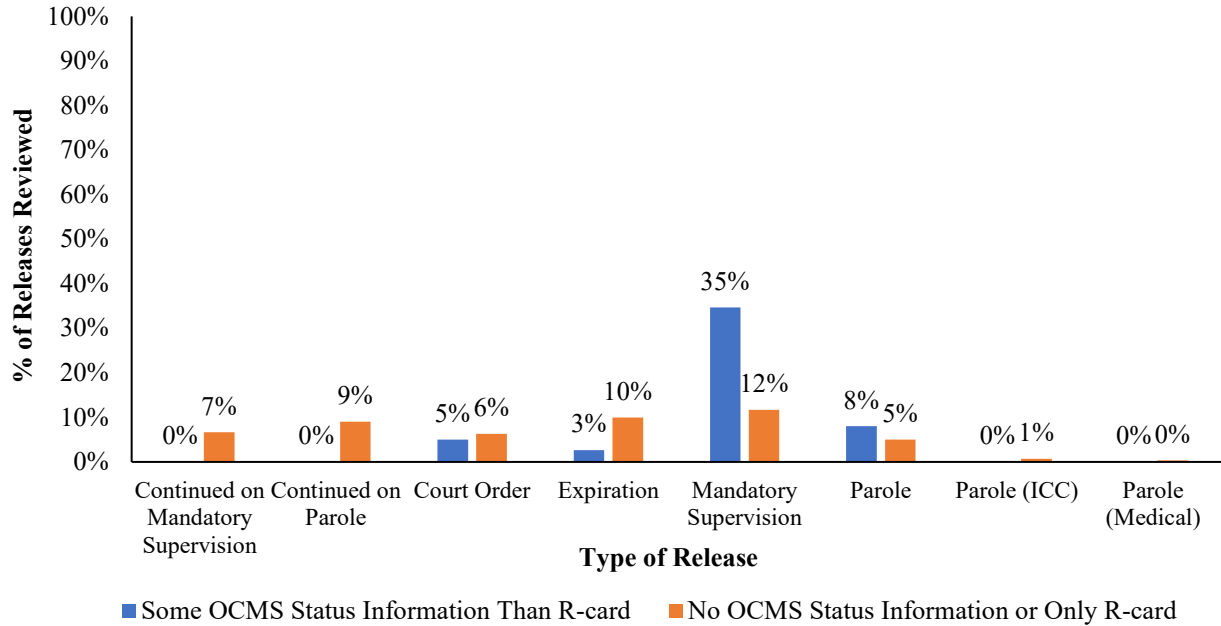
- plan to be released from the covered institution into the community or transferred to a halfway house (or other similar facility) within 120 days;
- participate in work release, school, or pre-release social services program; or
- plan to be released to a halfway house (or other similar facility) for work release within 120 days.

The MOU entered between DOC and MVA generally provides that those eligible for the services under the agreement are inmates who are scheduled for release from custody within a time period to be determined by DPSCS but not to exceed 60 days prior to such release date. In addition, inmates released from DPSCS facilities without MVA-issued ID cards continue to be eligible to apply for an ID card at any MVA branch provided the individual produces required source documents as well as documents outlined under [COMAR 11.17.09.05\(C\)\(4\)](#) within 60 days from the date of release.

Releases due to medical parole or a stayed or vacated sentence can cause an unanticipated release date; whereas releases due to expiration or those “continued on” can be short term. An unanticipated release date or a short-term sentence can conflict with the time requirements agreed to through the various MOUs.

Status activity for all identification documents other than R-cards was collected for the 300-release sample. R-cards were excluded because they are produced and distributed by DOC without the need for assistance from an outside agency or additional time. Everyone who is released from a DOC facility should receive an R-card. Those released on mandatory supervision or parole were more likely to have a status activity notation in OCMS whereas those continued on mandatory supervision, continued on parole, parole (Interstate Corrections Compact), and parole (medical) had no status activity notations. **Exhibit 17** shows the percentage of releases with either some or no status notation across the various release reasons.

**Exhibit 17**  
**Comparison of Status Information Present in OCMS**  
**Based on Type of Release**



ICC: Interstate Corrections Compact  
 OCMS: Offender Case Management System

**Observation 9: Eight local correctional facilities reported that they have a policy for assisting inmates to obtain identification cards issued by MVA.**

Each local correctional facility must develop and implement a policy to assist inmates in obtaining an MVA ID. The Maryland Association of Counties and DOC provided contact information for local correctional facilities in the State. OPEGA staff reached out to each facility to obtain information on any policy in place to assist inmates to obtain identification cards issued by MVA. Of the 21 facilities contacted, 8 reported to have some type of policy in place, 4 reported having no policy, and 9 provided no information. **Exhibit 18** lists the 8 local facilities with a policy in place and the corresponding policy.

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**Exhibit 18**  
**Local Facility's Policy Regarding MVA IDs**

<u>Facility</u>	<u>Policy</u>
Allegany County	Assist inmates in getting birth certificate and Social Security card and other documents as part of case management services.
Anne Arundel County – Ordnance Road Correctional Center	Issues a temporary identification (ID) upon release to anyone who lacks a photo ID.
Frederick County	At intake, inmate indicates whether they will need an ID or other documents, are provided forms to obtain documents.
Montgomery County – Community Corrections	Pre-release unit currently closed, but when operating, had a requirement that all residents have or obtain a valid State ID. Current policy is being reviewed considering Chapter 514.
Montgomery County – Detention Services	Issues a reentry ID to inmates, which it claims is a valid ID. Also provides assistance to inmates in obtaining birth certificates and Social Security cards.
Prince George's County	Currently using an interagency collaboration to help inmates, in the process of creating a formal policy.
St. Mary's County	Policy mirrors the requirements for State facilities. Have memoranda of understanding with the Division of Vital Records and Social Security Administration to obtain birth certificates and Social Security cards, and with local Motor Vehicle Administration (MVA) to issue IDs to any inmate who shows inmate ID, birth certificate, Social Security card, and a letter from corrections.
Talbot County	Issues inmates a temporary ID card. Currently working with local MVA on a better system.

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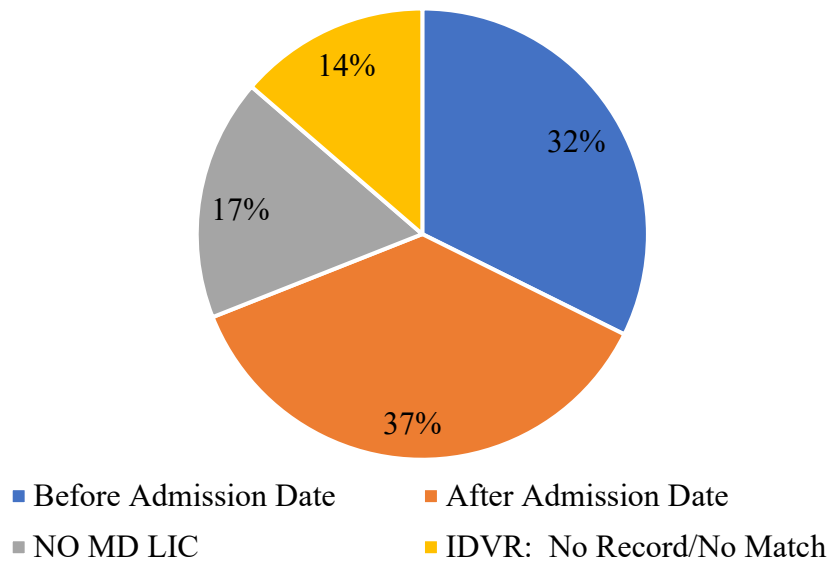
**Observation 10: OCMS did not include any evidence that an inmate had a valid MVA ID upon intake. IDVR showed that 32% of the releases were individuals who had been issued an original MVA ID prior to the individual's admission date.**

OPEGA reviewed IDVR to determine which of the individuals from the release sample of 300 were issued an MVA ID prior to admission to a DOC facility. There are three key dates used for comparison:

- admission date related to the release within the random sample as shown in OCMS;
- original issue date by MVA ID from IDVR<sup>5</sup>; and
- most recent issue date by MVA ID from IDVR.<sup>6</sup>

**Exhibit 19** shows that 32% of the releases reviewed were for individuals who, according to IDVR, had an original MVA ID issued prior to the individual’s admission date. In addition, 37% had an original MVA ID issued after the admission date, 14% were not found or did not have a record in IDVR, and 17% were shown in IDVR with the designation NO MD LIC.<sup>7</sup>

**Exhibit 19**  
**Comparing MVA ID Original Issue Date to Admission Date for Releases Reviewed**



ID: identification card  
 IDVR: Interactive Driver and Vehicle Record  
 MVA: Motor Vehicle Administration

<sup>5</sup> The original issue date is the initial date that MVA issued the MVA ID to the individual. If the ID has not been replaced, then the original issue date and the most recent date would be the same.

<sup>6</sup> In situations where a duplicate MVA ID is issued, the date of issuance is different from, and more recent than, the original issue date.

<sup>7</sup> Previously discussed in Observation #2: NO MD LIC designation means that the individual searched for is in the system, but there has been no activity for that person for at least one year and the license/ID is expired or otherwise invalid.



OCMS contains a Personal Information tab for DOC intake staff to input MVA ID status information. In each of the 300 releases that were reviewed, this tab was either blank or marked as no information provided.

## Recommendations

### **Recommendation 1: DOC should enter all status information in OCMS to track the process of obtaining the various identification documents.**

This recommendation specifically refers to the tracking capabilities of the Identification Documentation tab and the matrix therein. This tab allows DOC to track the progress of obtaining the various identification documents while the inmate is incarcerated by inputting dates for when the status actions across the top row of the matrix took place. Most of the releases reviewed for this evaluation had no information in the various status fields (see Observation 1). DOC should fill these fields to the full extent of the actions taken in the process. This should not imply that all fields in the matrix should contain a date; rather, only those fields that depict the work that has been completed. As a hypothetical example:

<u>Identification Documentation</u>	<u>Initial Interview</u>	<u>Applied</u>	<u>Received</u>	<u>In Base File</u>	<u>Inmate Declined</u>	<u>Out-of-State</u>	<u>Foreign Born</u>	<u>Name Error</u>	<u>MVA Decline</u>
Birth Certificate Status	2/15/20	2/25/20	3/25/20	3/25/20					
Social Security Status	2/15/20	2/25/20	3/25/20	3/25/20					
DD214 Status	2/15/20				2/15/20				
Doc Release ID Status	2/15/20								
MVA ID Card Status	2/15/20	3/29/20						4/29/20	4/29/20

The full scope of DOC's work and the status of this inmate's identification documents can be completely explained by looking at this matrix:

- Birth Certificate:
  - initial interview on 2/15/20;
  - applied on 2/25/20;
  - DOC Received on 3/25/20; and
  - placed in base file upon receipt by DOC on 3/25/20.

- Social Security card:
  - initial interview on 2/15/20;
  - applied on 2/25/20;
  - DOC received on 3/25/20; and
  - placed in base file upon receipt by DOC on 3/25/20.
- DD214:
  - initial interview on 2/15/20; and
  - inmate declined assistance on 2/15/20.
- R-card:
  - Initial interview on 2/15/20, no follow up needed as this will be issued upon release.
- MVA ID card:
  - initial interview on 2/15/20;
  - applied on 3/29/20; and
  - MVA declined due to a name error on 4/29/20.

Maximizing the status information entered into OCMS should lead to timely and accurate reporting on the efforts made by DOC to assist inmates with obtaining identification documents.

**Recommendation 2: The Maryland General Assembly should consider amending current law to include language addressing DD214 and MVA ID.**

Section 9-609.1 of the Correctional Services Article requires the Commissioner of Correction to issue an identification card to an inmate before release from confinement and, with written consent from the inmate, the Commissioner of Correction is required to begin the process of obtaining a birth certificate and applying to SSA to obtain a Social Security card. DOC also uses OCMS to track the status of assisting inmates with obtaining a DD214 and an MVA ID.

Statutory provisions should reflect the full capability of OCMS by adding language that requires DOC to either “begin the process” of obtaining or “apply to” the proper agency to obtain a DD214 and MVA ID. These two identification documents have eligibility requirements that must be considered. Specifically, a DD214 is for those who served in the military and an MVA ID is for those who reside in the State of Maryland. DOC can only assist those inmates who qualify to obtain these identification documents. Proposed legislation is included as **Appendix B**.

**Recommendation 3: DOC should produce a written policy regarding the division’s role in the collection, status tracking, and distribution of identification documents.**

DOC did not produce a written policy as to the division’s role in the collection, status tracking, and distribution of identification documents. While staff interviewed during this evaluation were knowledgeable regarding DOC’s current practices involving identification documents, a written policy would increase the effectiveness of communicating this type of information to all DOC staff and other interested persons. This policy may provide clarity for how DOC handles:

- the collection of identification documents during an individual’s incarceration;
- where and how to input status tracking information for each identification document; and
- the distribution of identification documents, including instances where identification documents are received by DOC after the individual has already been released.

A written policy detailing the practices that are ongoing would make it easier for all DOC staff to assist inmates to obtain identification documents.

**Recommendation 4: DOC should provide guidance for local correctional facilities who must meet the requirements of Section 9-617 of the Correctional Services Article.**

Section 9-617 of the Correctional Services Article requires each local correctional facility to develop and implement a policy to assist inmates in obtaining an MVA ID. If DOC develops a written policy specific to assisting inmates to obtain an MVA ID, then local correctional facilities could adapt the appropriate portions of that DOC policy to comply with statutory requirements. A DOC policy could act as a template for local facilities and could lead to a level of uniformity in the process across the State.

**Recommendation 5: DOC should work with MVA to begin the process to obtain an MVA ID earlier in the release process.**

The MOU executed by DOC and MVA currently provides for a 60-day window prior to release in which an inmate can obtain an MVA ID while incarcerated. It also provides for a 60-day window after release for offenders to obtain an MVA issued ID. Expanding the pre-release window to 120 days, which would match the number of days allotted prior to release to assist in obtaining a Social Security card, would give DOC caseworkers more time to assist inmates to obtain an MVA ID. This should lead to an increase in the issuance of MVA IDs to inmates prior to release. This 120-day pre-release window should not effect the 60-day post-release window, which is necessary for those inmates who had trouble collecting supporting documents while incarcerated or who were only incarcerated for a short amount of time. Rather, the 120-day pre-release window would benefit those inmates who already have supporting documentation and give more time for DOC caseworkers to work with inmates to correct any issues that may present during the MVA ID application process.



## **Appendix A – Response from the Division of Correction**

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## Department of Public Safety and Correctional Services

### Office of the Secretary

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OPERATIONS

CAROLYN J. SCRUGGS  
ASSISTANT SECRETARY

GARY W. McLHINNEY  
ASSISTANT SECRETARY

January 7, 2022

Mr. Michael Powell, Director  
Office of Program Evaluation and Government Accountability (OPEGA)  
Department of Legislative Services  
90 State Circle  
Annapolis, Maryland 21401

Dear Mr. Powell,

The Department of Public Safety and Correctional Services has reviewed the OPEGA-DOC Final Report dated January 2022. We appreciate the observations and recommendations that were made as the result of this evaluation. To that end, I want to assure you that the Department is committed to continuing to improve its policies and procedures pertaining to the issuance of inmate identification cards.

Please find attached the Department's itemized responses to the observations and recommendations included in the report, and some additional comments clarifying one section of the Final Report. I also want to take this opportunity to emphasize how proud I am of the incredible work being performed every day by the Department's Division of Correction. Their efforts often go unnoticed.

If you have any questions regarding this response, please contact me.

Sincerely,

Robert L. Green  
Secretary

Attachments

Cc: Walter Pete Landon, Deputy Chief of Staff



## **DPSCS Itemized Responses (dated January 7, 2022) to the Observations and Recommendations included in the January 2022 OPEGA Report of the DOC**

**Observation 1: DOC has the ability to track the status of obtaining various identification documents. A majority of the releases reviewed were lacking status information.**

**Response: The Department agrees.**

Beginning in late 2020, the Department has been more actively monitoring these fields for completeness in advance of the legislative reporting deadline of January 2022. The result of these efforts, and the release reasons associated with an abbreviated re-entry timeline, are discussed below.

**Observation 2: MVA's IDVR showed evidence that 68% of the releases reviewed are individuals who either currently have a valid MVA ID or whose valid MVA ID expired after release from a DOC facility.**

**Response: The Department has no comment.**

The Department has no comment since the system reviewed is not a DPSCS system.

**Observation 3: There has been an increase in the amount of status information entered into OCMS in each of the last three years.**

**Response: The Department agrees.**

Over the past few years, the changing reporting requirements have led to improvements in our Offender Case Management System that were designed to capture this data better, which has influenced completeness alongside more consistent internal oversight of these reporting requirements.

**Observation 4: Eighty-four percent of releases reviewed since October 1, 2020, had evidence in OCMS that DOC issued an R-Card.**

**Response: The Department agrees.**

The gradual increase in documentation, especially the increase during FY 2021 was the result of concerted effort by the Department to engage in better data documentation of this process and to provide more timely management of release planning.

Beginning in September 2020, the Department began extracting data related to release documentation and release planning completion in preparation of the reporting requirements under SB 0077. As a response to gaps in the data reported, case management began prioritizing formal documentation of inmate declinations, which previously were an under documented status. Beginning in December 2020, the Department preemptively began reviewing the document status of inmates who were pending imminent release, and providing exception reports to narrow the

focus on those inmates without documents. This reporting provided oversight of both document inquiry at intake and release ID provision.

Upon review of documentation of initial interviews for identification documents, the Department began expanding the ability of its data system, OCMS, to capture the date of the initial interview in the process of requesting identification documents to better capture how many inmates were currently in process. Within the first quarter of 2021, this change was developed, tested, and deployed.

**Observation 5: OCMS notations for inmates either receiving or declining birth certificates and Social Security cards increased in each year of the reporting period.**

**Response: The Department agrees.**

OCMS notations for inmates either receiving or declining birth certificates and Social Security cards increased in each year of the reporting period, as formally documenting refusals has become more of a reporting priority.

It is important to consider that in FY 2021, nearly 33% of intakes into the Department's custody are for returns to custody from parole or mandatory supervision following a period of incarceration, meaning that in these cases, as well as potentially many others, inmates may have already gone through the process of having duplicate identification documents issued to them by case managers during a prior period of incarceration, sometimes within the same year. This is an important factor in considering inmate declinations.

The Department must also clarify that a declination is not treated by case management as a final status. Over time, as inmates build relationships with their case managers or begin engaging more in their reentry plan, they may at any time choose to begin the process, and do not lose the opportunity or right to do so due to a prior declination.

**Observation 6: The percentage of MVA IDs documented as received in OCMS decreased across the reporting period, while the percentage of inmates who declined assistance increased.**

**Response: The Department agrees.**

From March of 2020 to present, the Department has been actively managing COVID-19 outbreaks. The COVID-19 pandemic affected our ability to conduct business with federal and state agencies to meet this mandate.

With the increased monthly management of release documentation has come a greater attention on data completeness. This has directly impacted more thorough documentation of inmate refusals. It is important to consider the proportion of inmates mentioned above who may have already completed this process with the Department, which is an important factor in considering inmate declinations. Over time, as inmates build relationships with their case managers or begin engaging more in their reentry plan, they may at any time choose to begin the process, and do not lose the opportunity or right to do so due to a prior declination.

**Observation 7: OCMS provides multiple places for DOC staff to enter status information for identification documents. DOC did not provide any written procedures as to how this information should be entered.**

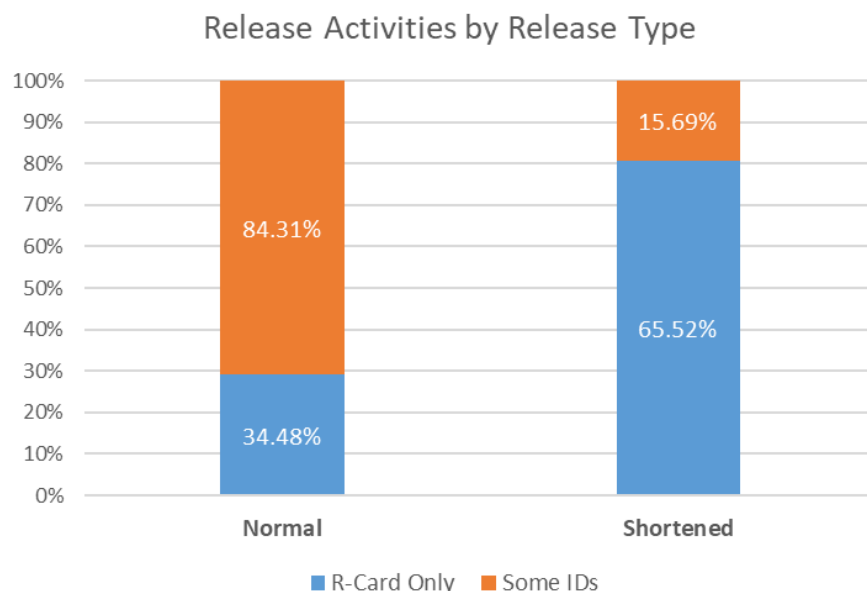
**Response: The Department agrees.**

OCMS provides multiple places for DOC staff to enter status information for identification documents. Written procedures that explain how and when this information should be entered have been submitted for the Assistant Attorney General’s review. The consistent evolution of reporting requirements and interface enhancements has changed our practices over time and is currently being documented in the written procedures. The written procedures also include oversight and accountability for supervisors, which has been enabled by new reporting over the past year. In the interim, we have conducted virtual training with respective staff.

**Observation 8: The reason for an inmate’s release can hinder DOC’s ability to assist an inmate with obtaining certain identification documentation due to associated time restraints.**

**Response: The Department agrees.**

The Department agrees that the reason for an inmate’s release can hinder DOC’s ability to assist an inmate with obtaining certain identification documentation due to associated time constraints. Release reasons that are not at the Department’s discretion, such as court releases, often leave little advance notice of a hastened release date. Expiration of sentence is the most common release type for the State’s locally sentenced population, which has a generally shorter length of stay. Additionally, it is important to consider that some release reasons, such as those reflecting a continuation onto supervision, indicate that the inmate has undergone the release process at least once already. These commitment episodes are not typically for as long as others, such as parole and mandatory supervision, often for only 60 days or less, which is at odds with the timelines of completing document collection. Inmates released to interstate compact are being transferred to another state correctional entity whose connection to state record entities is more appropriate. It is the Department’s recommendation that these latter two categories of inmates be removed from the analysis.



As illustrated above, comparing outcomes across re-entry timelines reveals a more accurate picture of the Department's performance during the normal re-entry process (Mandatory Supervision, Parole, Medical Parole) compared to a foreshortened re-entry timeline (Continued on Mandatory Supervision, Continued on Parole, Court Order, Expiration). Of the cases examined, the majority (84%) of inmates with a normal re-entry timeline had at least one other ID provided.

**Observation 9: Eight local correctional facilities reported that they have a policy for assisting inmates to obtain identification cards issued by MVA.**

**Response: The Department takes no official position on this, but offers the following comment.**

DPSCS does not have the authority to speak about Local Detention Center policies, and is unaware of any existing legislative requirements for reporting of outcomes of these policies.

**Observation 10: OCMS did not include any evidence that an inmate had a valid MVA ID upon intake. IDVR showed that 32% of the releases were individuals who had been issued an original MVA ID prior to the individual's admission date.**

**Response: The Department agrees.**

The Department will ensure staff are trained in updating the Personal Information Screen in OCMS. OCMS contains a Personal Information tab for DOC intake staff to input MVA ID status information. The completeness of this field is entirely contingent upon information shared during an interview with the inmate, as the Department has no access to the IDVR system. The Division of Correction has been assisting inmates with Identification Documentation as far back as 2009, although written procedures were not established until recently. Prior to the law change in October 2020, this requirement to gather information at intake was not present in DOC practice or in its documentation. Beginning in the past year, written consent was now obtained at intake to sentenced custody. The Department is open to better data sharing with relevant state agencies to better identify needs within its population.

It is important for non-correctional professionals to consider the adjustment period that is commonly observed upon intake to sentenced custody. Historically, this is when correctional staff are accustomed to changes in behavior amongst inmates, often expressed as noncompliance, as they adjust to the experience of incarceration. While early re-entry engagement is the Department's goal, newly sentenced inmates are not immediately oriented towards their re-entry documentation as a pressing need. For this reason, motivational interviewing occurs with support staff, such as case managers, throughout one's sentence and during annual case reviews.

**Recommendations:**

**Recommendation 1: DOC should enter all status information in OCMS to track the process of obtaining the various identification documents.**

**Response: The Department agrees.**

The increases in field completion over the past year are a demonstration of the impact of increased training and reporting on these fields. The Department will continue its routine monitoring and reporting of these fields, and will be conducting training on the new release protocols. The Department has new expanded data reporting capabilities to engage in ongoing monitoring of record completion, and over the past year, has taken additional steps to correct incomplete records.

**Recommendation 2: The Maryland General Assembly should consider amending current law to include language addressing DD214 and MVA ID.**

**Response: The Department takes no official position on this, but has the following comments:**

The Department's existing practice is to ask every inmate sentenced to DOC custody if they would like assistance in obtaining identification documentation. Of the 15,026 inmates in DOC sentenced to custody as of December 2021, only 48 are veterans. The Department partners where possible to meet the needs of re-entering veterans, and the scale of this population can be appropriately addressed within the existing re-entry process. Changing legislation has no impact on the practicality of receiving MVA ID prior to release. There are multiple government entities involved in the ability of an inmate to obtain an MVA ID, and as discussed above, the limiting factor of SS card acquisition may at times make securing MVA ID logistically impossible within certain re-entry timelines. In addition, written consent is required by the inmate to obtain the documentation. Absent inmate consent, it is inappropriate for the Department to apply for an identification document. For these reasons, among general support for re-entry, the Department has an agreement with MVA to facilitate an inmate's transition to MVA-ID post release through the issuance of R-Cards.

**Recommendation 3: DOC should produce a written policy regarding the division's role in the collection, status tracking, and distribution of identification documents.**

**Response: The Department agrees.**

Over the past year, the Department has developed a detailed DOC procedure to accommodate the growing legislative demands and the changing record keeping standards to meet reporting requirements. This procedure has been submitted for the Assistant Attorney General's review.

**Recommendation 4: DOC should provide guidance for local correctional facilities who must meet the requirements of Section 9-617 of the Correctional Services Article.**

**Response: The Department disagrees.**

Developing a release procedure within state prisons has served to highlight the incredibly unique and tailored nature of the re-entry process. Local correctional entities have different staff structures, data management systems, policies, and local partnerships all of which contribute to different internal re-entry practices that leverage their local strengths. The Department has robust channels of communication to share best practices within the fields of corrections and re-entry, and the state's re-entry policy will be published on our website for the benefit of any local actors. In the Department's past experience during JRA implementation, the Department successfully

shared its practices regarding process changes through collaborative forums such as the Maryland Correctional Administrators Association, and through its re-entry symposium. More affirmatively dictating the procedures and responsibilities of staff within individual facilities outside of state control is not within the Department's purview.

**Recommendation 5: DOC should work with MVA to begin the process to obtain an MVA ID earlier in the release process.**

**Response: The Department disagrees.**

Changing the MOU with MVA from 60 to 120 days to request an ID would not appreciably improve the release envelope process for the Department, and ignores the rate limiting step of SS ID acquisition. The staggered timeline of document procurement is a reflection of the Department's experience and process development in the sequence of gathering records from multiple state agencies. It affords a gradual focusing for case managers who serve a complex and significant caseload of returning inmates who are at different stages in this process. It sets an unrealistic expectation that the number of inmates released with an MVA ID would increase given the timeframe extension. In order for the Department to request an MVA ID, a birth certificate and social security card are first required for submission with the MVA ID application. The MOU with the Social Security Administration currently dictates that the Department cannot request a duplicate Social Security Card until the inmate is within 120 days of release or is eligible for prerelease programming. Unless the MOU with the Social Security Administration were extended beyond 120 days, it is counter-productive to extend the MOU with MVA from 60 to 120 days. The Department is open to considering new ways to leverage Maryland's infrastructure for digital record sharing between state agencies to improve MVA ID outcomes within the existing timeline.

**DPSCS Special Comments (dated January 7, 2022) to a Section of the  
January 2022 OPEGA Report of the DOC**

**In regards to the Background and Current Law section (under Division of Correction) on page 7 of the final report, the Department offers the following clarification/comments:**

The actual number of DOC facilities is 13. Of the 13 facilities, 6 house minimum security inmates, and of the 6 that house minimum security inmates, 5 include a number of pre-release/work release inmates. In addition, while Patuxent was included in the sample, it should be noted that statutorily they are a separate authority.

## **Appendix B – Proposed Legislation**

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Bill No.: \_\_\_\_\_

Drafted by: Pilgrim

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

By: **Leave Blank**

**A BILL ENTITLED**

AN ACT concerning

**Division of Correction – Important Documents – Inmates**

FOR the purpose of requiring the Commissioner of Correction to begin a certain process to obtain certain records from the United States Department of Defense for certain inmates as soon as possible; requiring the Commissioner to apply to obtain a certain inmate’s identification card issued by the Motor Vehicle Administration at the earliest date possible in accordance with a certain memorandum of understanding; requiring the Commissioner to provide certain inmates with certain documents before release from confinement in a State correctional facility under certain circumstances; making stylistic changes; and generally relating to important documents and identification cards for released inmates.

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 9–609.1(a)

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 9–609.1(b)

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
That the Laws of Maryland read as follows:

**Article – Correctional Services**

9–609.1.

(a) (1) The Commissioner of Correction shall issue an identification card to an inmate before release from confinement in a State correctional facility.

(2) The identification card issued under subsection (a) of this section shall meet the requirements for secondary identification for the purpose of an identification card issued by the Motor Vehicle Administration under § 12–301 of the Transportation Article.

(b) (1) **[(i)]** Except as provided in paragraph **[(3)] (5)** of this subsection, on taking custody of an inmate sentenced to the Division of Correction, the Commissioner of Correction shall begin the process of obtaining the inmate’s birth certificate.

**[(ii)]** If an inmate’s birth certificate is obtained under subparagraph (i) of this paragraph, the Commissioner of Correction shall provide the inmate with the birth certificate before release from confinement in a State correctional facility.]

(2) **[(i)]** Except as provided in paragraph **[(3)] (5)** of this subsection, the Commissioner of Correction shall apply to the Social Security Administration to obtain an inmate’s Social Security card:

1. at the earliest date possible in accordance with any memorandum of understanding between the Division of Correction and the Social Security Administration providing for the issuance of inmate Social Security cards; or

2. as soon as is practicable.

**[(ii)]** If an inmate’s Social Security card is obtained under subparagraph (i) of this paragraph, the Commissioner of Correction shall provide the inmate with the Social Security card before release from confinement in a State correctional facility.]

**(3) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE COMMISSIONER OF CORRECTION SHALL APPLY TO THE UNITED STATES DEPARTMENT OF DEFENSE FOR EACH ELIGIBLE INMATE TO OBTAIN THE INMATE'S DD FORM 214, CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY AS SOON AS IS PRACTICABLE.**

**(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE COMMISSIONER OF CORRECTION SHALL APPLY TO THE MOTOR VEHICLE ADMINISTRATION FOR EACH ELIGIBLE INMATE TO OBTAIN AN INMATE'S IDENTIFICATION CARD ISSUED BY THE ADMINISTRATION AT THE EARLIEST DATE POSSIBLE IN ACCORDANCE WITH ANY MEMORANDUM OF UNDERSTANDING BETWEEN THE DIVISION OF CORRECTION AND THE ADMINISTRATION PROVIDING FOR THE ISSUANCE OF IDENTIFICATION CARDS BY THE ADMINISTRATION.**

**[(3)] (5)** The Commissioner of Correction may not obtain a document under [paragraph (1) or (2) of] this subsection unless the inmate consents in writing to the Commissioner of Correction obtaining the document.

**(6) IF A DOCUMENT IS OBTAINED UNDER THIS SUBSECTION, THE COMMISSIONER OF CORRECTION SHALL PROVIDE THE INMATE WITH EACH DOCUMENT BEFORE RELEASE FROM CONFINEMENT IN A STATE CORRECTIONAL FACILITY.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.



## **Appendix C – Release Documentation Envelope**

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A-4

## Release Documentation Envelope

Case Management staff assigned to the inmate will prepare the Release Documentation Envelope by placing the corresponding Documents in the envelope and signing the section of the form that indicates the items are in the envelope.

Traffic and/or Release Officer will certify that all items are in the envelope and sign the document. Upon release, the Traffic/Release Officer explains the contents of the envelope to the inmate and addresses any questions or concerns.

Inmate will sign the form certifying that they received the envelope and that it included all of the items listed on the form.



MARYLAND DIVISION OF CORRECTION  
Release Documentation Envelope

Name: \_\_\_\_\_ DOC#: \_\_\_\_\_ Release Date: \_\_\_\_\_

Type of Release:  Mandatory Supervision  Maximum Expiration  Parole  Other: \_\_\_\_\_

Identification Documents:	Enclosed	Declined	N/A	Comments
Birth Certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Social Security Card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
DD214	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Release ID	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other Identification Documents: _____				

Other Contents:	Enclosed	N/A	Comments
Release Certificate	<input type="checkbox"/>		_____
Funds	<input type="checkbox"/>		Amount in cash: \$ _____
	<input type="checkbox"/>	<input type="checkbox"/>	Amount in check: \$ _____
Property	<input type="checkbox"/>	<input type="checkbox"/>	_____
Continuity of Care Form	<input type="checkbox"/>		_____
Medication (30 day supply)	<input type="checkbox"/>	<input type="checkbox"/>	Quantity: _____
Entitlement Documentation	<input type="checkbox"/>	<input type="checkbox"/>	_____
Notice of Sexual Offender Registration Requirements	<input type="checkbox"/>	<input type="checkbox"/>	_____

For inmate released from a regional release center:

Maintaining Institution: I, \_\_\_\_\_, certify that all above listed items are enclosed in this envelope and it has been sealed on this day, \_\_\_\_\_ at \_\_\_\_\_.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Transportation: I, \_\_\_\_\_, certify that I received this envelope on this day, \_\_\_\_\_ at \_\_\_\_\_, and it is sealed.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Regional Release Center: I, \_\_\_\_\_, certify that I received this envelope on this day, \_\_\_\_\_ at \_\_\_\_\_, and it is sealed.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For all other releases:

I, \_\_\_\_\_, certify that all above listed items are enclosed in this envelope and it has been sealed on this day, \_\_\_\_\_ at \_\_\_\_\_.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, \_\_\_\_\_, certify that I gave the contents maintained in this envelope including all items indicated above, to

Inmate \_\_\_\_\_ DOC# \_\_\_\_\_ on this day, \_\_\_\_\_

at \_\_\_\_\_.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Appendix D – Evaluation Request Letter**

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THE MARYLAND GENERAL ASSEMBLY  
ANNAPOLIS, MARYLAND 21401-1991

JOINT AUDIT AND EVALUATION COMMITTEE

July 22, 2021

Mr. Michael Powell  
Director, Office of Program Evaluation and Government Accountability  
Department of Legislative Services  
90 State Circle  
Annapolis, Maryland 21401

Dear Mr. Powell:

Consistent with §2-1234 of the State Government Article, we are directing that the Office of Program Evaluation and Government Accountability conduct a performance evaluation of the Department of Public Safety and Correctional Services' Division of Correction, specifically, the issuance of identification cards to inmates before release from confinement in a State correctional facility (Correctional Services § 9-609.1).

Thank you for your attention to this matter.

Sincerely,

Handwritten signature of Senator Clarence K. Lam.

Senator Clarence K. Lam  
Senate Chair

Handwritten signature of Delegate Carol L. Krimm.

Delegate Carol L. Krimm  
House Chair

CKL:CLK/MP:EJA/dw

cc: Joint Audit and Evaluation Committee, Members and Staff  
Ms. Victoria L. Gruber