

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 11/29/2021	NUMBER 04.04.133
	SUBJECT PRISONER PHOTOGRAPHIC IDENTIFICATION	
SUPERSEDES PD 04.04.133 (05/16/2011)		AUTHORITY MCL 791.203
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POLICY STATEMENT:

Prisoner photographs shall be taken by the Department for identification purposes, including for issuance of prisoner identification cards.

POLICY:

- A. For purposes of this policy, “prisoner” includes probationers in the Special Alternative Incarceration Program (SAI).
- B. A photograph of each prisoner's face and any scars, marks, and tattoos shall be taken during intake processing pursuant to PD 04.01.105 “Reception Facility Services” and during SAI intake processing, as necessary. Prisoners shall wear state-issued clothing for the photograph of their face. Eyeglasses and headgear shall not be worn. However, a prisoner may wear an approved religious head covering in accordance with PD 05.03.150 “Religious Beliefs and practices of prisoners” for photographs that may be viewed by the public. Prisoners who chose to wear a religious head covering for photographs that may be viewed by the public shall have a second confidential photo taken without the religious head covering. If removal of the head covering in a non-private area would violate the individual's religious beliefs, the confidential photo shall be taken by a member of the same sex and in an area where only the staff member(s) taking the photo can see the individual once the head covering is removed. The confidential photo shall only be viewed by designated staff and is exempt from the Freedom of Information Act (FOIA).
- C. If a prisoner wants to change their religious preference, and have a new photograph taken wearing religious head covering, they shall submit their request to the facility Chaplain who shall forward the request to the Correctional Facilities Administration (CFA) Special Activities Coordinator for approval. If the request is approved, the prisoner shall have a new photograph taken with the religious head covering, and the prisoner's photograph shall be changed in any Departmental database that may be viewed by the public (e.g., OTIS) and on the prisoner's identification card photo.
- D. New photographs shall be prepared whenever there is a change in the prisoner's physical appearance or every three years, whichever occurs first. The photographic images shall be retained in the Department's computerized database (e.g., OMNI). The photograph of the prisoner's face also shall be used to create the prisoner's identification card. Approved prisoners shall be permitted to wear a religious head covering in the prisoner's identification card photo.
- E. Each prisoner shall be issued an identification card. Identification cards shall be yellow for prisoners and orange for SAI probationers. The identification cards shall include a color photograph of the prisoner's face, the prisoner's current commitment name, legal name if known and different from commitment name, identification number, and any other information determined necessary by the Director. The identification card also shall be electronically coded with the prisoner's identification number. The identification card shall be retained by the institution when the prisoner paroles or discharges on the maximum sentence.
- F. Prisoner identification cards shall be issued initially at Department expense. Prisoners may be charged for the necessary replacement of their identification cards, including damage to the magnetic strip, at a rate established by the Director or designee. A prisoner shall not be charged, however, for a replacement card required due to a change in their physical appearance, including the addition of a religious head covering, if they have not had the card replaced during the preceding three years. A prisoner shall be charged for an identification card replaced due to a change in their legal name as set forth in PD 03.01.110 “Prisoner/Parolee Name Changes.”

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- G. Prisoners are individually responsible for ensuring their identification cards reflect their current physical appearance and are in good physical condition. Prisoners also are individually responsible for notifying appropriate staff if their identification card is lost, stolen, destroyed, or mutilated to allow for replacement as soon as possible. Each prisoner shall have their identification card in their possession at all times unless otherwise approved by the Warden or designee. A prisoner shall not qualify for a visit or other non-emergency movement inside the facility if they do not have a current valid identification card in their possession, unless otherwise approved by the Warden or designee. A prisoner who deliberately sells, alters, damages, gives away, or otherwise inappropriately disposes of an identification card may be charged with misconduct in accordance with PD 03.03.105 "Prisoner Discipline" or, if in SAI, PD 05.01.142 "Special Alternative Incarceration Program."
- H. A prisoner who is discharging on the maximum sentence or paroling shall be issued a new identification card for this purpose. The new identification card shall include a color photograph of the prisoner's face as well as their commitment name, legal name if known and different from the commitment name, and any other information determined necessary by the Director. The identification card for discharging prisoners shall have a white background. The identification card for paroling prisoners shall have an orange background. The photograph used for the prisoner identification card may be used for the parole or discharge identification card provided it was taken within the preceding three years and the prisoner's physical appearance has not changed since the photograph was taken. If a new photograph is required, it shall be taken in the same manner as for the photograph for the prisoner identification card, including the wearing of religious head covering as set forth in Paragraph B. The new discharge or parole identification card shall be provided to the prisoner upon release from the institution and documented on the Release Clearance form (CAJ-801) along with the prisoner's written acknowledgment of receipt. Replacement cards shall be issued only as approved by the Records Administrator or designee. If issued, a fee may be charged at a rate determined by the CFA Deputy Director or designee.

PROCEDURES

- I. If necessary, to implement requirements set forth in this policy directive, Wardens shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- J. A Primary Audit Elements List has been developed and is available on the Department's Document Access System (DAS) to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 10/11/2021