

REPORT TO THE LEGISLATURE
Pursuant to P.A. 188 of 2010
Section 418
Assisting Prisoner's to Obtain Identification Documents

Sec. 418. (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall maintain those documents in the prisoner's personal file.

(2) The department shall collaborate with the Michigan department of state to ensure that an achievable list of documents necessary to obtain a state operator's license or state identification card upon parole or release is developed and presented to the prisoner so that application for identification can begin prior to a prisoner's discharge or parole hearing. The process for prisoners to acquire this documentation shall be part of the department's operating procedure.

(3) The department shall cooperate with MDCH to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.

(4) By March 1, 2011, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the plan for implementing all necessary processes and policy changes in order to ensure compliance with the requirements of this section.

Social Security Cards

The Department has entered into a Memorandum of Understanding with the Social Security Administration to provide replacement social security cards for prisoners who meet certain criteria. That criteria is that prisoners are US Citizens, are within 120 calendar days of release and have not used an additional social security number.

Providing replacement Social Security Cards is part of the release process and if the prisoner does not know the location of his/her Social Security card, and the prisoner is a U.S. citizen, designated housing unit staff or transcase/reentry classification processors shall ask the prisoner if s/he needs to apply for a replacement card and, if a replacement card is needed, offer to assist the prisoner in the application process. There is no application fee.

To apply for a replacement Social Security card, the prisoner must complete Social Security Administration form SS-5 "Application for a Social Security Card" and SSA-3288 "Consent for Release of Information". The original completed forms are sent to the CFA Central Records Section in Jackson. That Section is responsible for review and certification of prison records necessary to process the application and the processing of the application itself. When the replacement Social Security card is received by the Central Records Section, it is forwarded to

the appropriate facility for retention in the prisoner's Record Office file for delivery to the prisoner upon release; the prisoner is advised in writing when the replacement card has been received at the facility. If the prisoner has been released on parole, the card is forwarded via the Central Records Section to the supervising agent and the card is securely stored until it can be delivered to the prisoner. In all cases if the prisoner has discharged, the card shall be returned to the Social Security Administration via the Central Records Section.

A central position was established in the MDOC to work with the SSA to verify any information provided to SSA as well as coordinate any questions between prisoners, MDOC and SSA staff.

To date, the number of Social Security cards processed - 3,498; the number of Social Security cards received - 2,543. Total - 6,041 cards processed.

State Operator's License or Identification Card

The Michigan Secretary of State requires specific documentation in four categories to issue a driver's license or personal identification card:

- 1) Social Security Number or Letter of Ineligibility (at least one document); the MDOC is assisting prisoners in securing replacement social security cards as referenced above.
- 2) Legal Presence in the United States (at least one document); the MDOC is assisting prisoners in securing birth certificates as referenced in Section 418(1).
- 3) Identity Verification (more than one document may be required); the MDOC provides all prisoners with a photo identification card prior to release.
- 4) Proof of Michigan Residence (at least two documents with name and Michigan residential address); the MDOC has entered into an agreement with the SOS to allow the Order for Parole and the Notice of Parole to suffice for proof of residency. Additionally the SOS has agreed to allow a Verification of Residence letter prepared by MDOC staff to suffice as one of the required documents for proof of residency.

Birth Certificates

The Department of Community Health (DCH) and the Department of Corrections (DOC) agreed on a process which allows prisoners through a central point of contact within the DOC and the DCH to obtain copies of their birth certificates. A Director's Office Memorandum was issued on May 1, 2008. On May 16, 2008 instructions for processing birth certificate applications were issued to all Wardens and Regional Business Managers. Following is a general synopsis of how the process is completed.

Prisoners arriving at the reception centers are asked whether they have birth certificates, driver's licenses, social security cards, etc. and advised the Department will store these documents for them during their incarceration. If they do not have a birth certificate, staff assists the prisoner in completing an application for obtaining one through the DCH's Vital Records Division. The Department loans prisoners the funds for the applications if they do not have sufficient funds in their account (\$26 in most cases).

The staff member who assists the prisoner with the application for a birth certificate sends the completed application to the Central Records Division in Jackson for processing to the DCH. The functions for this position include verification of true identity through comparison with available records, i.e., LEIN and DOC files. The applications are batched and sent to the central point at DCH for processing.

A central position was established in the DOC to work with the DCH Vital Records Division to verify any information provided to DCH as well as coordinate any questions between prisoners, DOC and DCH staff.

In addition to inquiries for identification and assistance with applications at reception centers, DOC staff question the prisoner again at the time of the Parole Eligibility Report which occurs approximately 7 months before the minimum release date. Staff assists with the application process and the Department loans funds for this purpose. The Parole Board is advised as part of the parole eligibility reporting process whether the prisoner has obtained his or her birth certificate and other identification.

To date the DOC has processed 5,592 birth certificate applications for prisoners and received 5,279 of those applied for.