



Department of Public Safety and Correctional Services

Office of the Secretary Office of Government and Legislative Affairs

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BILL: HOUSE BILL 1463

POSITION: LETTER OF INFORMATION

EXPLANATION: This bill requires the Division of Correction (DOC) to facilitate the acquisition of government issued documents at intake and within six-months of release to initiate processes for the inmate to have access to photo identification and government benefits upon release. Additionally, the DOC shall provide mediation for the inmate and an individual the inmate identifies as being essential for successful reentry.

COMMENTS:

- The Department's Division of Correction (DOC) operates approximately 17 State correctional facilities, which house offenders sentenced to incarceration for 18 months and longer. The Department also runs the Baltimore City Pretrial Complex, under the Division of Pretrial Detention and Services (DPDS), which houses pretrial detainees and inmates sentenced to incarceration for 18 months and less.
- The DOC has a comprehensive program established to prepare every offender for reentry from the day they enter.
- HB 1463 requires the DOC to acquire the social security card and birth certificate of an inmate upon intake and be kept on file until release.
 - The DOC inventories and secures an inmate's property upon intake.
 - When the inmate presents with the documents required by HB 1463, the documents remain with the inmate's property until release.
 - Inmates may request other accommodations be made for their personal property, such as having it mailed to a family member.
- HB 1463 also requires the DOC to provide an inmate with the resources to obtain government documents.

- The DOC already meets the requirement to provide inmates with resources to obtain government documents.
- When an inmate does not have a government issued photo identification or other government issued documents required for successful reentry, steps to obtain these documents are part of the reentry planning.
- HB 1463 requires the DOC to provide appropriate forms to and work with an inmate to assist with reentry.
 - A component of reentry planning includes completion of applications for government entitlements and personal identification documents.
 - The DOC participates in this practice when an inmate is within 120 days of release, consistent with the language of the bill.
- HB 1463 requires the Commissioner of Correction to work with the Motor Vehicle Administration (MVA) to assist an inmate with obtaining an identification upon release.
 - For over a decade, the Department has had a Memorandum of Understanding (MOU) with both the MVA and the Social Security Administration (SSA) to provide MVA ID's and Social Security cards, respectively, to eligible inmates.
 - The MOU's outline the eligibility criteria for inmates to apply for their respective documents and the processes involved.
 - This would include applications for duplicate copies of birth certificates, Social Security cards, an official government issued Motor Vehicle Administration (MVA) ID card, and a DD214 for our veteran population.
- Specific to the MVA and the renewal of a driver's license belonging to an inmate, the Department and the MVA will have to modify the current MOU to include a mechanism for which an inmate may renew his driver's license, if eligible, prior to release providing the renewal requirement does not include road driving test.
- Inmates who were receiving Supplemental Security Income prior to being incarcerated through the Social Security Administration are helped with reapplying for those benefits so they are restarted upon release.

- Specific to the SSA, the MOU provides for the inmate to apply for a Social Security card within 120 days of release. It is the SSA that dictates the terms of the agreement for which we have to conform.
- Case Management, Social Workers and Reentry and Transition Unit staff assist inmates who may be homeless with finding alternative housing options.
- Medical and mental health staff engage in reentry planning by way of the preparation of Continuity of Care documents and bridge orders to provide the inmate with a supply of any medication he or she may be taking upon release. Continuity of Care documents and bridge orders may also contain referrals to community healthcare providers for our inmate population diagnosed with various chronic conditions.
- HB 1463 proposes the DOC shall provide mediation for the inmate and an individual the inmate identifies as being essential for successful reentry.
- This requirement to provide inmates with mediation removes the voluntary aspect of mediation as recommended in literature from the District Court of Marylandⁱ and professional mediation organizations such as Community Mediation of Marylandⁱⁱ
- The Department's policies, practices, and procedures continue to change and evolve as science and evidence based national best practices change and improve over time. It is imperative the Department's operations have the ability to remain nimble based on the ever-changing framework of the criminal justice arena. This bill would create a statutory mandate on an area in the criminal justice system that is similarly subject to change.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully submits this information for your consideration of HB1463.

ⁱ Dc044br.pdf

ⁱⁱ <https://mdmediation.org/about-us/>