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POSITION ON PROPOSED LEGISLATION

**BILL: HB022: Correctional Services – Incarcerated Individuals – Identification Cards,
Driver’s Licenses, and Birth Certificates**

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: April 1, 2026

The Maryland Office of the Public Defender respectfully requests that the Committee vote favorably on HB022.

This Bill requires the Commissioner of Correction to determine whether an incarcerated individual is in possession of certain personal identification documents upon intake into custody; if they do, the Commissioner shall facilitate the safekeeping of those documents and return them prior to or upon the individual’s release. If the individual does not possess these documents, the Commissioner shall provide an opportunity to the incarcerated individual to apply for and obtain the documents a few months prior to their release. The essential personal identification documents included are birth certificates, social security cards, and driver’s licenses or state-issued photo identification cards.

The provisions proposed in this Bill will provide simple yet essential assistance for returning citizens to help ensure a smooth transition back into the community. The process for obtaining these identifying documents can be difficult, confusing, and time consuming for a returning citizen without assistance. Beginning the process *after* release only further delays success in the community. The pre-release assistance proposed in this Bill will streamline the process by providing a clear pathway for returning citizens to obtain essential documents prior to their approaching release date. By assisting returning citizens with these processes *before* they are actually released, the program proposed in this Bill will be a significant step towards ensuring a successful return to the community.

Many incarcerated individuals—especially those who have served sentences that span several years or even decades—can struggle upon release without access to immediate housing, employment, or any source of income. As public defenders, we see the practical challenges that people released from incarceration must navigate, oftentimes on their own, that can feel insurmountable. Without basic personal identification documents, essential tasks such as applying for an apartment, opening a bank account, applying for a job, or accessing transportation can quickly become overwhelming and prohibitive logistical obstacles. Having a valid state identification and other essential documents upon release is an easy step that sets up returning citizens for success.

Eliminating these barriers to accessing basic necessities will allow for a smoother and more efficient transition to independence. For instance, benefits such as SNAP and Temporary Cash Assistance allow individuals to purchase groceries, pay for public transportation fare, purchase clothing necessary for job interviews or for their workplace, and cover necessary medical expenses while they work to establish long-term employment; but these programs require official identification documents to apply. For people with mental or physical disabilities or chronic illness, having a State ID can be essential to accessing medical care and coverage from the moment they are released, and this can have a profound impact on the success of their transition back into the community. For most people, it is almost always necessary to provide official identifying documents in order to obtain housing or employment. These are foundational requirements for establishing stability and finding success in the community.

Notably, stable housing and employment upon release from incarceration have been found to reduce recidivism.¹ While it is in the best interest of the returning citizens to provide the most basic resources that enable them to secure stable jobs and housing, it is therefore also in the interest of the community at large by contributing to reduced rates of re-offending. This commonsense measure will ensure that when returning citizens step beyond the walls of the prison they are equipped with the basic identity documents most of us carry in our wallets every day that they will need to rebuild their

¹ Kolbeck, S., Lopez, S., & Bellair, P., Does Stable Employment after Prison Reduce Recidivism Irrespective of Prior Employment and Offending? *Justice Quarterly*, 41(1), 38–61 (<https://doi.org/10.1080/07418825.2023.2201330>), available at <https://www.tandfonline.com/doi/full/10.1080/07418825.2023.2201330>; Jacobs LA & Gottlieb A., THE EFFECT OF HOUSING CIRCUMSTANCES ON RECIDIVISM: Evidence From a Sample of People on Probation in San Francisco. *Crim Justice Behav.* 2020 Sep. 47(9): 1097-1115 (doi: 10.1177/0093854820942285), available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC8496894/>.

lives. Providing an opportunity for returning citizens to obtain necessary identification documents prior to their release can contribute to enhanced safety and stability for all.

For these reasons, the Maryland Office of the Public Defender urges this Committee to vote in favor of HB022.

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