



## The BOP Release Card ID Act of 2024 *Reps. Trone (D-MD), Moore (R-AL), Moran (R-TX), and Dean (D-PA)*

### Background

40,000 people are released from federal prison every year, yet half leave custody without a valid government identification, and more than 75% do not have a photo ID.<sup>1</sup> Individuals without a valid identification face significant barriers to successfully reentering society because they cannot obtain housing, access social services, open a bank account, satisfy the I-9 form for employment, nor access many forms of healthcare, including for substance use disorder and mental health treatment. When individuals cannot access these basic needs, research consistently shows that recidivism rates significantly increase as these individuals are forced to rely on illegal forms of income, violate the terms of their release, and/or fall back into the cycle of substance use disorder.<sup>2 3</sup>

The Bureau of Prisons (BOP) is beginning to address this important problem by rolling out a program to issue a photo ID release card to all exiting inmates, except those that are non-citizens. The BOP has worked with the Government Publishing Office, Transportation and Security Administration, and Immigration and Customs Enforcement to ensure that this photo ID card is a valid form of government identification and satisfies many of the REAL ID requirements. However, despite the BOP's best efforts, legislation is necessary to ensure that this ID card fulfills identification requirements necessary for accessing federal benefits. Further, the BOP needs to take more steps to work with states to establish an agreement wherein states would accept this BOP ID in exchange for a valid state identification, like a driver's license.

To address these issues, the **BOP ID Act of 2024** would:

- Direct the the Bureau of Prisons (BOP) to issue an identification document—referred to as a “Release Card”—to all inmates, except those that are non-citizens, upon exiting a Bureau of Prisons facility;
- Provide that the ID shall remain valid for a minimum of 18 months from the date of release;
- Direct the BOP to work with all states to establish a system by which the ID release card can be traded for equivalent state IDs;
- Direct federal agencies to accept the ID release card as satisfying any requirement that a beneficiary prove their identity; and
- Direct the DOJ to create guidance for states to issue release IDs from state penitentiaries.

Further, the Act notes that this temporary form of identification does not absolve the BOP from their statutory mandate to work with inmates to obtain social security cards, birth certificates, and state driver's licenses.

**Endorsed by:** Alston Wilkes Society, Alvis, Inc., American Conservative Union, Americans for Prosperity, Brennan Center for Justice at NYU School of Law, Center for Employment Opportunities, Community Resources for Justice, Crosspoint of San Antonio, Dream.Org, Due Process Institute, Eastern Ohio Correction Center, International Community Justice Association, Major County Chiefs Association, New Jersey Association on Correction, Prison Fellowship, Project ID, R St Institute, Tzedek Association

<sup>1</sup>GAO Report 23-105302, “Bureau of Prisons: Opportunities Exist to Better Assist Incarcerated People with Obtaining ID Documents Prior to Release.” <https://www.gao.gov/products/gao-23-105302>

<sup>2</sup>Sanders C, Burnett K, Lam S, Hassan M, Skinner K. “You need ID to get ID”: A scoping review of personal identification as a barrier to and facilitator of the social determinants of health in North America. *Int J Environ Res Public Health*. 2020;17(12): 4227. doi: 10.3390/ijerph17124227.

<sup>3</sup>Wise, Cat “Leaving prison without a government ID can block access to housing, jobs and help.” *PBS News*, Dec. 20 2020. <https://www.pbs.org/newshour/nation/leaving-prison-without-a-government-id-can-block-access-to-housing-jobs-and-help>