



## **AB 974 (McKinnor) Free Birth Certificates for Incarcerated People FACT SHEET**

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### **ISSUE**

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Current law allows for an incarcerated person to leave the California Department of Corrections and Rehabilitation (CDCR) with a California identification card in hand. However, in order to obtain the identification card through this program, the incarcerated person needs to be able to provide acceptable proof of their true full name, date of birth, Social Security number, legal presence in the United States, and California residency. A birth certificate, which typically is needed to prove the date of birth and legal presence, costs \$29 in California.

Existing law provides that eligible people experiencing homelessness and foster youth are able to receive a fee-exempt copy of their birth certificates. Having valid state identification is essential to people returning home from jails and prisons. Identification is vital for individuals being released from custody to access housing, and employment, enroll in educational programs, sign up for public benefits, receive medical care, and even cash checks. If a person is not able to access the necessary underlying documentation, in this case, a birth certificate, they risk leaving custody without a California identification card (Cal-ID) and will face obstacles in getting one after release.

The average time it takes for the California Department of Public Health Virtual Records office to process a birth certificate request is 10 to 12 weeks, and that is if the person applying has all of the documents including valid identification. The process for a formerly incarcerated person would take even longer if they do not have valid identification. Therefore, allowing incarcerated people to have their birth certificate in order to obtain their Cal-ID through the special in-prison program sets them up for success when they reenter.

### **SOLUTION**

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AB 974 will require a local registrar, State Registrar, or county recorder to provide a birth certificate fee waiver to incarcerated people. Incarceration status can be verified in multiple ways, including through an “Inmate Locator” website and a copy of a prison identification card. In addition, this bill will direct the California Department of Public Health to develop an affidavit for certification of incarceration status. By doing so, California can ensure that individuals reentering society are equipped with the necessary tools to secure services and quickly stabilize.

### **SUPPORT**

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Root & Rebound (Co-sponsor)  
Los Angeles Regional Reentry Partnership (Co-Sponsor)  
Transitions Clinic Network  
Our Road Prison Project  
Reentry Providers Association of California