

Assemblymember McKinnor Introduces Legislation to Provide Free Birth Certificates to Incarcerated People

Co-sponsored by Root & Rebound and the Los Angeles Regional Reentry Partnership, this bill aims to provide critical identification during the reentry period

SACRAMENTO, Calif., February 14, 2022 — Assemblymember Tina McKinnor (D- Inglewood) has introduced AB 974 to ensure that all incarcerated individuals have access to free birth certificates upon release if a person identifies that they do not have a copy of this vital document. This bill will direct the local registrar, State Registrar, or county recorder to provide a birth certificate to an incarcerated person at no cost. This will ensure that all incarcerated persons have access to their birth certificates, removing one of the largest obstacles for returning citizens to obtain Cal-ID cards.

Upon their release from prison, formerly incarcerated people frequently face the obstacle of obtaining California Identification Cards (Cal-IDs). This issue is remarkably prevalent in California – it was [reported](#) that in the last six months of 2019, 71% of people who left prison were released with no Cal-ID in hand. Valid state identification is essential for many core tasks formerly incarcerated people face when returning home to make reentry successful, including accessing housing and employment, enrolling in educational programs, signing up for public benefits and medical care, and even cashing checks.

“I was released from prison after serving a life sentence of 30 years. The only ID I had at the time of my release was a prison ID card. I was also provided with documents from my parole agent proving my identity, yet I was still denied a Cal-ID by the DMV,” explained Curtis, a formerly incarcerated client of this bill’s sponsor, Root & Rebound. “It took me approximately 9 months before I was able to get a Cal-ID. By not having an ID, I missed out on numerous job opportunities, couldn’t open a bank account, and was restricted by my parole office from traveling to see family members.”

Many other states have already committed to providing free birth certificates to incarcerated people upon release, including Illinois, Oregon, Michigan, and New Jersey. In California, current law allows for an incarcerated person to leave the California Department of Corrections and Rehabilitation with a Cal-ID card in hand. However, in order to obtain the identification card through this special in-prison program, incarcerated people often need a birth certificate to prove their date of birth and legal presence. If a person is not able to access the necessary underlying documentation, they risk leaving prison without a Cal-ID card and will face obstacles in getting one after release. The cost of getting a certified copy of a birth certificate, along with the difficulty of navigating layers of state bureaucracy, pose major barriers for those leaving incarceration.

“California is facing an unprecedented homelessness crisis compounded by the fact that 70% of unhoused individuals were previously incarcerated,” said Assemblymember Tina McKinnor. “Access to vital records, such as birth certificates, is crucial for these Californians to secure housing, enter the labor market and fully reintegrate into society. AB 974 will ensure that all

eligible individuals being released from state or local detention have access to their birth certificate, which serves as another tool to help break the cycle of recidivism and support formerly incarcerated persons who seek to become contributing members of our state.”

“We urge California legislators to follow other states’ leads and provide incarcerated people this simple yet critical piece of identification at the time of release,” said Carmen Garcia, Executive Director of Root & Rebound. “Upon release, people leaving the system face so many hurdles to gain employment, housing, and rebuild their lives. Removing the barrier of obtaining this basic piece of identification will significantly improve reentry and positively impact millions of people in a very tangible way.”

This bill is pending committee referral.