

EXECUTIVE AGENCY
 FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 24, 2017

Agency Submitting: Nevada Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

Bill Draft Request 16-546 proposes to amend Nevada Revised Statute 209.511.1 by requiring the Nevada Department of Corrections (NDOC), as part of the inmate pre-release process, to verify an offender's full legal name and date of birth before issuing a photo identification card pursuant to paragraph (f) of subsection 1. NDOC research staff carefully evaluated the provisions of the proposed law and concluded that if the law is passed and becomes effective on October 1, 2017, a minimum of eleven Correctional Caseworkers would be needed to cover the release procedure of inmates at all of the seven major institutions. NDOC will have to institute procedures to make sure the birth certificates, social security cards, or additional certified documents are in the inmate's file or if they need to be ordered. In addition, caseworkers will have to incur overtime for the NDOC to be compliant with the law by the beginning of October. Further study in the matter is needed to determine the appropriate amount of additional staff and procedures in meeting the objectives of this proposal. As a result, the fiscal impact on the Inmate Welfare Account and State General Fund Account of this proposed law cannot be quantified at this time.

Name Scott Ewart

Title Chief of Fiscal Services

GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Friday, March 17, 2017

The agency's response appears reasonable.

Name Paul Nicks

Title Budget Officer

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: 16-546

Name of Agency: Corrections

Division/Department: _____

Date: March 16, 2017

Bill Draft Request 16-546 proposes to amend Nevada Revised Statute 209.511.1 by requiring the Nevada Department of Corrections (NDOC), as part of the inmate pre-release process, to verify an offender's full legal name and date of birth before issuing a photo identification card pursuant to paragraph (f) of subsection 1. The legal name and date of birth of the individual will be verified by ordering legal and certified copies of the offender's birth certificate, social security card and additional certificated documents, as required by the Department of Motor Vehicles. Therefore, the name that will be printed on the identification card will not be based on the name of the offender's judgment of conviction; but instead, on the legal name.

Currently, the NDOC issues the identification cards for inmates without verifying if the name and date of birth on the judgment of conviction are legal. Birth certificates are ordered for inmates upon request with sufficient advance notice. The birth certificate and application fees are the responsibility of the inmate through the inmate's Trust or Savings Account. In the case of an indigent inmate, the Inmate Welfare Account will fund the birth certificate fees. In State Fiscal Year 2016, the Inmate Welfare Account absorbed \$7,596.25 of the fees for birth certificates of indigent inmates. State Fiscal Year 2017 year to date funding for indigent inmates birth certificates fees is \$4,731. If the release date is too soon to order the documents, the NDOC provides the inmate with all the necessary information to obtain the legal documents after release.

At the institutional level, the impact of this proposal would require additional resources to meet the objective proposed. Approximately 40% of inmates are sentenced under aliases used at the time of arrest and it is not uncommon for inmates to arrive at the institutional intake with numerous, sometimes a dozen or more social security numbers. This proposal would immediately render a large percent of inmate identifications to be in direct conflict with the certified court order(s). The screening for accuracy or authenticity in some cases can be a long and time consuming task at best and virtually impossible in cases of individuals entering the county illegally from countries where birth certificates do not exist or in cases where inmates refuse to tell the caseworker their true name. Moreover, requests for certificates of women's marriages, adoptions, or a simple name change will lengthen this process.

From Calendar Year 2018 to 2021, the current projected average of inmates due to be released is 5,889 per year. Currently, the majority of birth certificates purchased cost \$25 for a certified copy. If all releasing inmates required a birth certificate, the cost per year would equal \$147,225. At the present time, it is unknown how many inmates in our population do not have these documents and of those inmates who do not have the funds in their Trust and Savings Accounts to pay for the birth certificate.

In addition, NDOC research staff carefully evaluated the provisions of the proposed law and concluded that if the law is passed and becomes effective on October 1, 2017, a minimum of eleven Correctional Caseworkers would be needed to cover the release procedure of inmates at all of the

seven major institutions. NDOC will have to institute procedures to make sure the birth certificates, social security cards, or additional certified documents are in the inmate's file or if they need to be ordered. In addition, caseworkers will have to incur overtime for the NDOC to be compliant with the law by the beginning of October. Therefore, further study in the matter is needed to determine the appropriate amount of additional staff and procedures in meeting the objectives of this proposal. As a result, the fiscal impact on the Inmate Welfare Account and State General Fund Account of this proposed law cannot be quantified at this time.