

**Memorandum of Understanding
Between
Montana Department of Justice and Montana Department of Corrections**

Issuance of Montana Identification Cards by MCE

This memorandum outlines the understanding between the Montana Department of Justice (DOJ), acting through its Motor Vehicle Division (MVD), and the Montana Department of Corrections (DOC), acting through its Montana Correctional Enterprises (MCE), concerning MCE's processing and issuance of Montana identification cards (MT ID cards) to certain inmates of Montana correctional facilities.

1. Appointment and Authorization. Pursuant to Mont. Code Ann. §§ 61-12-501, DOJ/MVD appoints DOC/MCE as its agent to issue MT ID cards to inmates who are eligible for a card as a result of the inmate's imminent release, discharge or parole from the Montana State Prison at Deer Lodge, the Montana Women's Prison at Billings, or any regional or private prison or treatment center under placement contract with DOC, currently including, but not limited to, Crossroads Correctional Center in Shelby, Cascade Regional Prison in Great Falls, the Dawson County Correctional Center in Glendive, Elkhorn Treatment Center in Boulder, Nexus Treatment Center in Lewistown, WATCH West in Warm Springs, WATCH East in Glendive and youth offenders housed at Pine Hills Youth Correctional Facility in Miles City and Riverside Youth Correctional Facility in Boulder.

DOJ/MVD authorizes DOC/MCE to use DOJ/MVD's integrated driver licensing issuance system provided by MorphoTrust USA, formally L-1 Identity Solutions Operating Company (MorphoTrust Card Production System), under State of Montana IT Contract DOJ07-13860 for the limited purpose of issuing MT ID cards to inmates under this agreement.

DOJ/MVD authorizes DOC/MCE the use of the DOC Offender Management Information System (OMIS) for adult facilities and the Youth Management Information System (YMIS) for youth facilities, as secondary document sources for the issuance of Montana State Identification Cards.

DOJ/MVD further authorizes the DOC/MCE Driver Licensing Coordinator (DLC) to access DOJ/MVD's system for electronic driver license and identification card records (Driver Records) to create the identification card record associated with the issuance of a MT ID card under this agreement.

The authority conferred under this agreement does not extend to the production or issuance of MT driver licenses by DOC/MCE or the DLC to inmates or any other individuals; however, that authority may be the subject of a separate agreement between DOJ/MVD and DOC/MCE in the future.

2. DOC/MCE Responsibilities. DOC/MCE agrees that the DLC will be responsible for performing all duties associated with issuance of MT ID cards to inmates by DOC/MCE, using the MorphoTrust Card Production System. The DLC may only perform these duties on-site at one of the prisons or treatment centers recognized under this Agreement.

The DLC will follow DOJ/MVD Field Operations Bureau rules, regulations, policies and procedures governing the issuance of MT ID cards. The DLC will be responsible for the timely submission of all MT ID applications completed by inmates under this agreement to DOJ/MVD headquarters in Helena, MT, as directed by the DOJ/MVD liaison.

3. DOJ/MVD Responsibilities. DOJ/MVD will provide DOC/MCE and the DLC with a copy of all Field Operations Bureau rules, regulations, policies and procedures governing the issuance of MT ID cards. DOJ/MVD will periodically review and/or audit the DLC's compliance with the rules, regulations, policies and procedures governing the issuance of MT ID cards

DOJ/MVD will provide the DLC with training on the current Card Production System and the Driver Records System at the driver exam station located in Deer Lodge, Montana. Training by the DOJ/MVD will be provided when card production equipment software, hardware and system changes or updates take place. Training will also be provided when there are changes to the DOC DLC staff responsible for operation of the card production equipment. Training will be provided when DOJ/DMV policy or procedures changes take place that involve the production of ID cards. Training will take place on mutually agreed dates and times. Depending on DOJ/MVD staff availability, and as agreed by the liaisons, DOJ/MVD may assign a Field Operations Bureau employee to mentor the DLC on the use of the current Card Production System and the Driver Record System for up to one day, onsite at one of the facilities covered under this agreement.

4. Equipment, Maintenance and Security. DOC/MCE has purchased the following equipment from MVD, and will be responsible for all hardware equipment replacement and upgrades:

Portable Image Capture Workstation (ICW), including: Latitude D620 laptop computer
Brother Laser Printer DL-5250-DN Alladin etoken ETPR032K
Topaz Signature Pad T-LBK755SE-BHSB

The portable ICW unit purchased by DOC/MCE from DOJ/MVD will receive the same maintenance and support as units delivered to DOJ/MVD has under the MorphoTrust Contract.

DOC/MCE has purchased an 8-port switch from the Department of Administration (DOA). DOC/MCE will be responsible for obtaining approval from DOA for any network jacks, switches and ITPRs needed to utilize the MorphoTrust Card Production System. DOC/MCE will pay all DOA programming and maintenances charges related to the network jacks, switches, and ITPRs installed or used to support its use of the MorphoTrust Card Production System and access to Driver Records.

DOC/MCE will provide a state personal computer and, at DOC/MCE's option, a printer to the DLC for purpose of accessing the Driver Records System maintained by DOJ/MVD. Specific management of the state personal computer used by the DLC to access the Driver Record System will be coordinated between DOJ/MVD, DOJ/Justice Information Technology Services Division, and DOC/MCE.

DOC/MCE understands that the portable ICW unit, including the printer, may only be used for production of MT ID cards, and that the ICW unit printer may only be used to print temporary identification cards/receipts.

DOC/MCE will be responsible for ensuring and maintaining the physical security of all equipment used to issue MT ID cards under this agreement.

5. Card Costs. Under the terms of the MorphoTrust Contract, DOJ/MVD will pay to MorphoTrust \$8.595 for each MT ID card issued under this agreement, which is the per card price under that contract.

6. Liaisons. DOJ/MVD and DOC/MCE appoint the following individuals as liaisons for purposes of implementing, coordinating, overseeing, and if required, negotiating revisions to, this agreement. The liaison may be changed by written notice to the other party. Liaisons appointed are:

DOJ/MVD

Kristine Thatcher (406)-444-1778
302 North Roberts, Helena, MT 59602

DOC/MCE

Larry Burke (406)-846-1320 x2425
300 Conley Lake Road, Deer Lodge, MT 59722

7. Time of Performance. This Memorandum of Understanding shall take effect upon final document signature and shall remain in effect until terminated in writing by either party with a 30 day written notice.

Upon expiration of this Memorandum of Understanding, and in the absence of a new written agreement, the terms listed herein shall continue to govern the agreement between the parties until such time as a new Memorandum of Understanding is signed.

8. Entire Agreement. This memorandum contains the entire agreement of the parties. Any enlargement, alteration or modification of this agreement requires a written amendment signed by both parties.

The parties, through their authorized agents, have executed this MOU in duplicate originals on the dates set forth below.

MONTANA DEPARTMENT OF JUSTICE, MOTOR VEHICLE DIVISION

By: *Sarah Garcia*
Sarah Garcia, Administrator

Date: 2-23-15

MVD/FIELD OPERATIONS BUREAU

By: *Kristine Thatcher*
Kristine Thatcher, Bureau Chief

Date: 2-13-15

APPROVED AS TO LEGAL CONTENT:

By: *Peter Funk*
Peter Funk, Assistant Attorney General

Date: 2/12/15

Upon behalf of MorphoTrust USA, the terms of MorphoTrust equipment purchase, maintenance, support, and card cost are approved:

By: *Bob Eckel*
Bob Eckel, CEO/President

Date: 3/10/15

MONTANA DEPARTMENT OF CORRECTIONS/MONTANA ENTERPRISES

By: *Gayle Lambert*
Gayle Lambert, Administrator

Date: 3-13-2015

By: *Larry J. Burke*
Larry Burke, Vocational Ed. Director

Date: 3-13-15

APPROVED AS TO LEGAL CONTENT:

By: *Colleen Ambrose*
Colleen Ambrose, Chief Legal Counsel

Date: 1-14-14

Montana Correctional Enterprises
Inmate Driver's License and Identification Program
April 11, 2008

- Prior to 1997, the only identification card given to inmates upon release was a Department of Corrections (DOC)-issued identification card with the word "inmate" on it. (See attachment)
- From 1997 through 2001, Montana Correctional Enterprises (MCE) assisted inmates in obtaining state of Montana Identification cards, if requested by the inmate.
- In 2001, DOC began providing released inmates with an identification card (ID) without the word inmate printed on the top of the card. (see attachment)
 - o DOC and the Department of Justice (DOJ) reached agreement that the Division of Motor Vehicles (DMV) would use this ID card as a primary form of identification to be used in obtaining a free Montana ID card upon release (MCA 61-12-504(1)).
 - DOC understood that a released inmate needed only this DOC ID card to obtain a state of Montana ID card, since DOC had all the forms of identification needed to prove the identity of the Individual, per ARM 23.3.131.
 - DMV requested another primary or secondary form of identification, along with a proof of residence in order for released inmates to obtain a state ID card.
 - Some DMV locations provide free ID cards, others do not.
 - o The DOC-issued ID card carried the stigma of having been an inmate for the offender going to a DMV office to obtain a state ID card.
- In September 2007, Montana Correctional Enterprises (MCE) added an employee specifically assigned to work with inmates, prior to release, to get the documentation needed for them to begin transition, specifically a:
 - o Social Security cards
 - o birth certificates
 - o Class D driver's license
 - o Montana ID card
- In March 2008, a DMV staffer came to the facility and took pictures for the first group of Montana ID cards and for driver's licenses.
- DMV is scheduled to return to the facility one day a month to complete the state of Montana driver's license and ID card process by taking these pictures.
- MCE is currently working with DOJ to simplify the process that is currently being used by:
 - o Allowing MCE's driver's license coordinator to become an authorized agent for the Department of Justice, per MCA 61-12-503, which would authorize her to issue state of Montana ID cards. The coordinator is required to be:
 - Certified through DMV to administer the written and practical driver's tests.
 - Certified as a Criminal Justice Information Network (OIN) operator
 - o Providing computer and photography equipment, to enable MCE to produce the state of Montana ID cards on site. DOC will purchase the equipment.
- Internally, DOC is working on modifying the records system to identify inmates who are within one year of release to ensure that they have in hand a valid state of Montana ID card when released.

