POLICY AND OPERATIONS PACKAGE

Delaware Release-Day ID System

A simple, enforceable operating plan—revised after review of five Delaware DMV document-guide and regulation pages—to deliver a valid Delaware DMV identification card to every legally eligible person leaving correctional custody

Prepared for	Delaware reentry advocates, agency leaders, and policymakers
Decision requested	Sign the interagency agreement in 30 days; launch a 90-day pilot
Prepared / revised	August 10, 2026 / revised after review of attached DMV pages
Status	Administrative proposal and legal research; Delaware counsel should review before signature

Bottom line
Use a Governor-sponsored DOC–DMV–DHSS operating agreement, matching directives, and a signed DMV Director address-document protocol. Begin 180 days before release. Issue before release when a lawful address is already established; otherwise transport directly to verified temporary lodging and complete a reserved same-day DMV transaction after check-in. Count success only when the physical ID is delivered. [1–8,23,24]

The answer at a glance

The problem is not solved by another referral, brochure, fee waiver, application, or appointment. The measurable result must be a valid Delaware DMV ID physically in the person's hand before release—or, when a lawful address cannot exist until shelter check-in, by the end of release day through a reserved same-day DMV transaction.

- **1. Put one statewide owner above the agencies.** The Governor or Office of Management and Budget should appoint a Release-Day ID Coordinator who can require action from DOC, DMV, and DHSS. Do not leave statewide ownership solely inside DOC.

- **2. Sign an interagency implementation agreement.** Use mandatory words—shall, must, within—and identify the exact owner, deadline, record, escalation, and audit for each task.
- **3. Turn the agreement into employee duties.** Each agency must issue a directive/SOP, assign named staff, add the tasks to performance plans, require supervisor certification, and use the applicable Merit Rules or collective-bargaining process when assigned duties are ignored. [12]
- **4. Begin 180 days before release.** Short-notice releases begin immediately. DMV prechecks the file before any appointment, so people do not arrive with missing documents.
- **5. Process inside the facility or in reserved DMV blocks.** Delaware already operates DMV on the Go; the mobile unit can perform nearly all traditional DMV transactions. [18]
- **6. Use four case lanes.** Duplicate/renewal, first-time or long-expired, no conventional address, and complex exception. Each lane gets its own checklist and deadline.
- **7. Measure the outcome.** A DPCC, referral, application, appointment, or fee waiver is not completion. Publish monthly aggregate counts for ID-in-hand, pending reason, facility, and days open—with no personal information.
- 8. Use a narrow fallback only if the administrative tools fail. First require a DMV Director standing address-document protocol under 2 Del. Admin. C. §2217. If that cannot lawfully cover verified shelter, family-host, couch-surfing, or unsheltered situations, amend the address regulation; amend §8915 only if Delaware wants a universal, individually enforceable release-day duty.

What “every person” must mean legally

Screen 100% of people leaving DOC custody. Issue an ID to 100% who are legally eligible. For anyone not legally eligible, provide a written reason, named owner, next action, appointment, transportation plan, and rapid review. No agreement can authorize DMV to ignore identity, Social Security, lawful-presence, or residency law. [4–6]

What the five attached DMV pages add

The attached pages consist of Delaware DMV document-guide material and the 2017 final version of 2 Del. Admin. C. §2217. The current official DMV website and current

online Administrative Code still contain the core document and temporary-lodging provisions as of August 10, 2026. The revised plan uses them as specific operating tools, not as permission to waive identity or anti-fraud law. [5,6,23]

- Build the exact file. Current DMV instructions call for identity documents, Social Security evidence if eligible, two separate Delaware residency proofs, and lawful-presence evidence for non-U.S. citizens. Originals or certified copies and electronic verification matter. [5,23]
- Treat residency as the main decision point. The ordinary route needs two separate sources showing the physical Delaware address—not a P.O. box. Certain mail must be received within 60 days; ordinary personal letters and printouts do not qualify. [5,23]
- Use the Director's existing approval authority. Section 2217 permits another residency document specifically approved by the Chief of Driver Services or Director. The plan therefore requires a signed standing list—not case-by-case verbal favors. [6,23]
- Use the temporary-lodging exception precisely. After meeting the other requirements, a person actually living in a shelter or motel may receive a noncompliant credential if the provider certifies at least 30 days of residency and mail receipt. The rule does not clearly authorize a prison, a merely future address, an unsheltered location, or a P.O. box as the physical residence. [6,23]
- Use an agreement, but do not overstate it. Section 2217 already refers to memoranda for confidential identification programs. That shows an interagency agreement is a familiar implementation vehicle; it does not itself prove that a reentry MOU can waive law, discipline nonparty employees, or create an individual right to sue. [6,14,21,23]

Resulting change to the plan: DMV must issue one written reentry-address protocol and one approved certification form. Stable-address cases are processed before release. Cases that legally require actual shelter occupancy use direct transport to check-in and a reserved same-day DMV transaction. Delaware currently describes itself as an over-the-counter state where a qualified applicant may "walk out the same day" with the credential. [24]

1. What Delaware law already requires—and what it does not

Current rule	Practical meaning	Remaining gap
29 Del. C. §8915	For covered people released after a conviction and at least six months of incarceration, the DOC Commissioner must ensure a Program Completion Card (DPCC) is received before release. The Commissioner must work with DHSS and DMV on implementation. [1]	It does not cover every release and does not say a DMV ID must already be issued.
DPCC fee waivers	A valid DPCC waives the fee for one Delaware birth certificate and one qualifying DMV ID/license transaction. The person must still be otherwise eligible. [1,4,7,20]	A fee waiver does not supply missing identity, SSN, lawful-presence, or address evidence.
DOC authority	The Commissioner has broad authority over DOC organization, operation, staff, and services. [2]	Authority must be converted into written assignments and supervision.
DMV authority	DelDOT/DMV administers Title 21 and may adopt and enforce implementing rules consistent with law. [3]	DMV cannot waive statutory or federal requirements through an informal promise.
DMV document rules	Most applicants need identity documents, SSN evidence if eligible, lawful-presence evidence when applicable, and two Delaware residency proofs. [5,6]	People who are unsheltered, lack documents, have name mismatches, or have immigration complications need an exception lane.
Director-approved address documents and temporary lodging	DMV rules permit other residency documents specifically approved by the Chief of Driver Services or Director. A person actually living in a shelter or motel may be issued a noncompliant credential after other requirements are met if the provider certifies at least 30 days and mail receipt. [6,23]	DMV must state in writing whether the provider certification replaces the ordinary two-proof rule or which second proof is required. The text does not clearly cover future placements, prisons, couch surfing, or unsheltered applicants.

Legal conclusion: Delaware can implement most of the system now through executive management, an authorized interagency agreement, agency directives, a DMV Director standing approval of specified residency documents, and existing DMV processes. A statute or regulation becomes necessary when the desired address pathway conflicts with current eligibility rules, when coverage beyond §8915 is made mandatory, or when Delaware wants a direct individual enforcement right.

2. The release-day workflow

The program should use one electronic case record, one owner, one visible deadline, and one of two timing tracks. Track 1 completes the credential before release when a lawful Delaware residence can already be proved. Track 2 transports the person directly to verified temporary lodging, obtains the provider certification at check-in, and completes a reserved over-the-counter DMV transaction the same day. A release outside DMV business hours must be coded and completed by the end of the next business day; it cannot be reported as a pre-release success.

When	Owner	Required action	Proof
Within 5 business days of intake	DOC intake staff	Ask whether a current Delaware DMV record exists; record legal name, aliases, date of birth, SSN status, citizenship/lawful-presence status, source documents, address plan, and expected release date.	Completed intake screen
180 days before release	DOC case manager	Open the ID case; obtain signed consent; request DMV record match; select a case lane. For a shorter sentence or unexpected release, start immediately.	Named owner and lane
150–120 days	DOC + DHSS/OVS + SSA	Order Delaware birth record if needed; obtain out-of-state record; pursue SSN proof/card through the prerelease process; resolve name differences.	Source documents received or exception logged
90–60 days	DMV liaison	Choose the lawful address path: existing DMV record, stable physical residence with two separate proofs, or temporary-lodging/special review. Assemble the exact identity, SSN, lawful-presence, and complete name-change chain required by DMV.	Written address-path decision and complete packet
45–30 days	DMV mobile/reserved team	For cases with a presently established physical Delaware residence, complete the nondriver ID transaction at the facility or in a reserved DMV block. Use the simplest lawful credential first; driving privileges can follow.	Credential produced and secured
Release day—temporary lodging track	DOC + housing provider + DMV	Transport directly to the verified shelter/motel; provider certifies actual occupancy, 30+ days, and mail receipt; complete the reserved same-day over-the-counter DMV transaction. If released outside business hours, finish by the end of the next business day and code the exception.	Provider certificate + DMV credential receipt

When	Owner	Required action	Proof
After production	DOC property/reentry staff	Receive, scan status (not card image unless authorized), place card in tamper-evident release envelope, and use dual-signature chain of custody.	Card secured
Release day	Releasing officer + person	Hand over card and obtain signed receipt. Confirm benefits/SSA/DMV follow-up and transportation information.	ID in hand
If no card	Supervisor + statewide coordinator	Issue a written reason, assigned owner, dated next step, appointment, transportation plan, and five-business-day review. Escalate the same day.	Open exception—never marked complete

3. Four case lanes keep the process simple

Lane	Who belongs	Fast path	Do not do
A. Existing DMV record	Current/recent Delaware ID, license, or reliable DMV customer record	DMV record match → duplicate/renewal packet → mobile/reserved transaction	Do not rebuild identity from zero if DMV already has a usable record.
B. First-time or long-expired	No usable DMV record or source documents incomplete	Birth record + secondary identity + SSN/lawful-presence documents + two address proofs → DMV precheck	Do not schedule until DMV precheck says the file is ready.
C. No conventional address	Temporary shelter/motel, family-host or couch-surfing arrangement, or no conventional housing	If actually living in qualifying temporary lodging, use the provider certification and written DMV ruling. For a truthful family-host address, use two documents on the Director's approved list. If neither fits, escalate for written legal review or a narrow rule change. [6,23]	Do not use the prison, a future address, a P.O. box, or an invented address as the physical residence. Do not assume a mailing address cures the principal-address requirement.
D. Complex exception	Name mismatch, fraud flag, noncitizen documents, out-of-state record, SSN mismatch, or unresolved eligibility	Assign senior DMV examiner + agency counsel/SSA/immigration referral as appropriate; written decision and next step	Do not leave the case in a general mailbox or repeatedly restart it.

Address warning
The temporary-lodging route is real but limited. It applies after other requirements are met, to a person actually living in temporary lodging, when the provider certifies at least 30 days and mail receipt; it leads to a noncompliant credential. The regulation does not clearly say whether that certificate replaces both ordinary residency proofs. DMV must answer that question in a signed protocol. Until then, do not count a future shelter bed, prison address, P.O. box, or mailing address alone as a proven physical residence. [5,6,23]

4. Who must do what

Role	Required responsibility
Governor / OMB sponsor	Appoint the statewide coordinator; require the agreement and monthly scorecard; resolve cross-agency disputes; make repeated misses an executive performance issue. The Governor may require written information from executive officers and must take care that the laws are faithfully executed. [13]
Statewide Release-Day ID Coordinator	Own the case dashboard, convene weekly exception review, compel named responses, audit facilities, publish aggregate results, and report unresolved agency disputes to the Governor/OMB.
DOC Commissioner	Issue the DOC directive; name facility liaisons and backups; require 180-day case opening; secure documents/cards; certify release-day handoff; correct missed duties under applicable personnel rules. [1,2,12]
Warden/superintendent	Own facility results; review all red cases weekly; certify that no person is released without either the ID or a signed exception packet.
DOC case manager	Build the file, obtain consent, track milestones, communicate with the person, and escalate within one business day when a deadline is missed.
DelDOT Secretary / DMV Director	Issue the DMV directive; assign senior examiners and backups; precheck files within five business days; operate mobile/reserved processing; give written deficiency and exception decisions. [3,5,6,18]
DHSS / Office of Vital Statistics	Expedite eligible Delaware birth records under the DPCC waiver; name an escalation contact; support verified address and benefits pathways where legally permitted. [1,20]
SSA regional/field partners	Verify the current prerelease MOU, covered facilities, authorized certifiers, signatures, expiration, and audit schedule; process eligible Social Security card/benefit work under the agreement. [9,10]
Delaware DOJ / State Solicitor	Review authority, privacy, data sharing, sovereign-immunity language, enforceability, and any proposed regulation or bill. DOJ advises; it should not be the daily program owner.
Community advisory representatives	Review aggregate results and anonymized patterns, test whether instructions are understandable, and report recurring barriers. They do not receive personal data without lawful consent.

5. How to make the agreement real when employees do not cooperate

An MOU binds agencies only at the agency level. Front-line employees are not usually parties to it. The solution is to convert every agency promise into an assigned job duty with objective proof.

- **Named owner and backup.** Every facility and agency function has a primary and backup by name and position—not only a shared mailbox.
- **Written directive and SOP.** The Commissioner, DelDOT Secretary/DMV Director, and DHSS Secretary issue matching directives within ten business days after signature.
- **Performance-plan entry.** Add timeliness, accuracy, escalation, and release-day completion to the assigned employees' performance expectations.
- **Proof at every milestone.** A case is credited only when the dated record, written DMV precheck, card receipt, or signed release receipt exists.
- **Supervisor certification.** The facility supervisor certifies every scheduled release at 30, 14, and 3 days. Red cases are reviewed weekly.
- **Automatic escalation.** Missed duties leave the case owner's queue and become visible to the next management level; an employee cannot quietly close or ignore a case.
- **Corrective action.** Training is used for a first process error. Repeated refusal, neglect, falsification, or bypass of an assigned duty is handled under the applicable Merit Rules, collective-bargaining agreement, or exempt-employee process with due process. Merit Rule 12 states that employees are accountable for conduct. [12]
- **Independent audit.** The statewide coordinator audits a random sample and all release-day failures. The audit compares source records with the dashboard—not self-reported percentages alone.

After a missed deadline	Escalate to	Required response
1 business day	Facility/DMV unit supervisor	Correct the task or give a written barrier and recovery date.
2 business days	Statewide coordinator	Assign cross-agency owner; place case on red list.

After a missed deadline	Escalate to	Required response
3 business days	Agency program lead	Authorize exception review, mobile slot, transport, or document escalation.
5 business days	Commissioner/Secretary/ Director	Resolve interagency dispute or issue written decision.
10 business days or repeated pattern	Governor/OMB sponsor	Require corrective action plan and address leadership/performance failure.

6. Can a memorandum of understanding be legally enforceable?

Short answer

Yes—as a serious interagency operating agreement if authorized officials intend to be bound and the essential terms are complete. But an MOU by itself normally does not give a released person a guaranteed right to sue, and it does not directly discipline employees who are not parties. Use the MOU together with formal directives, assigned duties, audits, and executive escalation. If a direct individual remedy is required, adopt narrow legislation after Delaware counsel addresses sovereign immunity and the cause of action. [14,15]

Question	Practical legal answer
What makes the agreement credible?	Authorized signatories; express intent to bind the agencies; statutory authority; complete duties, deadlines, data rules, funding, dispute process, term, amendment, and termination provisions. Delaware contract decisions focus on intent and essential terms. [14]
Can a participant sue on it?	Not automatically. Contract enforcement generally belongs to parties and intended third-party beneficiaries. State-agency agreements also raise public-law and sovereign-immunity issues. Obtain a State Solicitor opinion before promising a judicial remedy. [21]
Can mandamus force performance?	Only where existing law imposes a precise, nondiscretionary duty and no adequate alternative remedy exists. The covered-person DPCC duty is clearer than a broad release-day DMV-ID duty, which current §8915 does not state. [1,15]
Can the MOU punish an employee?	No, not directly. The agency must make the task a work assignment and use the applicable personnel process. Discipline requires just cause, notice, due process, and an appropriate penalty. [12]

Question	Practical legal answer
What is enforceable immediately?	Management deadlines, written prechecks, a Director-approved document list, provider certification form, mobile/reserved processing, same-day shelter-track appointments, chain of custody, audits, and executive escalation can be implemented administratively if consistent with current law.
What requires a statute or rule?	Expansion to every release, a new individual cause of action, appropriations beyond existing authority, or a residency exception that cannot lawfully be accomplished through Director-approved documents under current §2217.

7. Measures that cannot be gamed

Measure	Standard	What does not count
Screening	100% of releases screened	Blank or post-release screening
Case opening	100% opened by 180 days or immediately on short notice	A general referral
DMV precheck	Written ready/deficiency decision within five business days	Unrecorded phone advice
ID in hand	Goal: 100% of legally eligible people—before release when possible, or by end of release day after legally necessary shelter check-in; next business day only for documented after-hours release. Pilot floor: at least 95% overall.	DPCC, application, appointment, fee waiver, card in mail, or same-day claim without signed receipt
Exception quality	100% have reason code, named owner, next date, appointment/transport plan, and supervisor sign-off	“Ineligible,” “documents missing,” or “client refused” without proof
Timeliness	Median days from case opening to DMV completion; days overdue by milestone	Average alone, which can hide old cases
Equity/consistency	Results by facility, release type, case lane, and reason code; no public personal data	Statewide percentage without facility detail
Address-path integrity	100% coded as established address, temporary lodging, Director-approved special proof, or unresolved legal gap—with supporting documents	‘Address pending,’ prison address, future address treated as current, P.O. box, or unsupported verbal approval

Audit rule: every release-day failure plus a random sample of at least 10% of completed cases (or 30 cases per quarter, whichever is larger). Compare the dashboard to source documents and signed release receipts.

8. A 90-day launch plan

Time	Deliverable	Decision test
Days 1–10	Governor/OMB names coordinator; agencies provide 12 months of baseline data and all existing MOUs/SOPs; counsel reviews authority and privacy.	One owner, one baseline, one legal issue list
Days 11–30	Sign the agreement; issue matching directives; DMV Director signs the reentry address-document protocol and provider form; assign contacts/backups; finalize consent, privacy, and case forms.	Every task has an owner, deadline, proof, escalation, and lawful address route
Days 31–45	Train pilot staff; test DMV record matching and packet precheck; test one stable-address case and one shelter-check-in/same-day case; secure card storage; schedule mobile/reserved sessions.	Five test files pass; address decisions are written
Days 46–75	Run one-facility pilot; hold weekly red-case review; fix document and address problems quickly.	No unexplained overdue case
Days 76–90	Complete release-day measurement; audit failures and sample; publish aggregate scorecard; decide statewide rollout.	At least 95% of legally eligible pilot releases have ID in hand
Day 91 onward	Roll out statewide if threshold met. If missed, issue corrective plan and begin narrow rule/statutory changes while continuing operations.	Failure produces a remedy—not another study

9. What advocates or committee members should do next

1. Adopt this package as the requested solution. Do not debate every document problem before first asking for the 30-day agreement and 90-day pilot.
2. Send the one-page request in Appendix E to the Governor, DOC Commissioner, DelDOT Secretary, DMV Director, DHSS Secretary, and State Solicitor. Ask for one joint written response—not separate referrals.
3. Ask for the last 12 months of aggregate baseline data: releases, DPCCs, DMV applications, IDs physically delivered before release, pending reasons, facility, and average/oldest case age.
4. Request the current DOC–SSA prerelease agreement, facility coverage, expiration date, authorized certifiers, and audit results. SSA's public map lists Delaware DOC under both benefits and enumeration agreements, but the operative document must be verified. [9,10]
5. Require a demonstration: follow five anonymized test cases through the workflow before full pilot launch.

6. Attend the monthly scorecard review. Ask only four questions: How many were released? How many were legally eligible? How many had ID in hand? Who owns every exception and by what date?
7. If the agencies decline or miss the pilot floor, move the narrow bill/regulation language in Section 10 instead of restarting another voluntary committee.

10. Narrow legal fallback if administration is not enough

The first choice is implementation under existing authority. If the data show continued inconsistency, use limited changes that define the result without prescribing every operational detail.

A. Statutory concepts for counsel to draft

- Require DOC to screen every person scheduled for release from Level IV or V custody and open an ID case no later than 180 days before the projected release date, or immediately when less notice exists.
- Require DOC and DMV to ensure that every legally eligible person receives a Delaware nondriver identification card before release; preserve all identity, SSN, lawful-presence, and anti-fraud requirements.
- When no ID is issued, require a written reason, review pathway, scheduled appointment, transportation plan, and named post-release owner; prohibit counting the case as completed.
- Require monthly aggregate public reporting and an annual independent audit, with personal information protected.
- Create a short administrative complaint and written-decision process. If lawmakers want judicial enforcement, require the Attorney General/State Solicitor to draft explicit remedy and sovereign-immunity language rather than relying on implication.
- Expand the DPCC/fee-waiver coverage if the General Assembly intends it to reach people incarcerated for fewer than six months or other release categories now outside §8915.

B. Regulatory concept for homelessness

First require a DMV Director standing protocol that identifies which two reentry residency documents are approved under §2217, including a qualified provider certification and a separate government or placement record. If current authority is insufficient, amend §2217 narrowly to cover verified shelters, transitional lodging, family-host and couch-surfing arrangements, and persons without conventional housing.

Define physical address, mail receipt, duration, separate-source verification, fraud controls, written review, and whether only a noncompliant credential may issue. Do not permit fabricated addresses, future addresses treated as current residences, prison addresses, or P.O. boxes as substitutes for a physical residence.

Important credential distinction

A Delaware noncompliant/standard nondriver ID can still be a legitimate state photo ID for many everyday purposes, but it is not a REAL ID for federal uses such as boarding commercial aircraft. The program should prioritize the lawful credential the person can obtain now and clearly explain its limits. [5]

Appendix A. Model interagency implementation agreement

Use this as a drafting template. Replace bracketed items, attach the workflow/checklists, and obtain Delaware Department of Justice review before signature.

INTERAGENCY IMPLEMENTATION AGREEMENT FOR RELEASE-DAY DELAWARE IDENTIFICATION

This Agreement is entered by the Delaware Department of Correction (DOC), Delaware Department of Transportation/Division of Motor Vehicles (DelDOT/DMV), and Delaware Department of Health and Social Services/Office of Vital Statistics (DHSS/OVS), with executive sponsorship by the Governor's Office or Office of Management and Budget. The Social Security Administration participates only through its separate federal prerelease agreement and applicable federal law.

1. Purpose and intended effect

The parties intend this Agreement to bind their agencies as an executive-branch operating agreement to the fullest extent permitted by law. Its purpose is to place a valid Delaware nondriver identification card in the hands of every legally eligible person before release, or by the end of release day when actual occupancy at a qualifying address must legally occur first, and to provide a documented recovery path for every exception.

This Agreement does not authorize issuance to a person who does not satisfy applicable identity, SSN, lawful-presence, residency, or fraud-prevention requirements. It does not appropriate funds, override federal or state law, treat a prison or future address as a current residence, or promise that a mailing address alone satisfies the principal-residence rule.

2. Authority

The parties rely on 29 Del. C. §8915; 11 Del. C. §§6516–6517; Title 21, including Chapters 3 and 31; Title 16 vital-records law; 2 Del. Admin. C. §2217; and each agency's lawful administrative authority.

3. Definitions

ID in hand means the person physically receives the completed DMV credential before release or, for the lawful temporary-lodging track, by the end of release day after check-in. A referral, DPCC, application, appointment, temporary receipt, card in transit, or

unsupported dashboard entry is not ID in hand. A documented after-hours release may be completed by the end of the next business day but is reported separately.

Legally eligible means DMV has determined that the applicant satisfies all requirements for the credential requested.

Exception case means a case without ID in hand by release day and includes a reason code, written explanation, named owner, dated next step, review, appointment, and transportation plan.

4. Coverage

DOC shall screen every person scheduled for release from covered DOC custody. The operational goal applies to every legally eligible person, including persons outside the current six-month DPCC category; fee waivers apply only where law permits.

For planned releases, the case opens 180 calendar days before release. For sentences or release decisions providing less notice, the case opens within one business day after notice.

5. DOC duties

DOC shall name a facility liaison and backup; obtain consent; maintain the case record; secure source documents; request birth/SSA work; determine whether the release address is presently established; schedule DMV processing; preserve the credential; and deliver it with signed receipt. For the temporary-lodging track, DOC shall confirm the placement, transport directly to check-in, and coordinate the same-day DMV slot. DOC shall not use a prison, future, P.O. box, or fabricated address as the physical residence.

The releasing supervisor shall certify at 30, 14, and 3 days whether the credential is ready. Any red case shall be escalated under Section 12.

6. DMV duties

DMV shall name a statewide liaison, senior exception examiner, and backups. It shall perform record matching and provide one written readiness/deficiency response within five business days after receiving a complete precheck request.

DMV shall provide mobile facility sessions or reserved appointment blocks sufficient for the projected caseload and give written determinations for address and complex exceptions. Within 20 business days, the Director shall approve a standing reentry address-document protocol and provider form stating: which two documents are

accepted for each address path; whether the temporary-lodging certification replaces the ordinary proofs; which credentials may issue; and the review route for a denial. Same-day over-the-counter slots shall be reserved for cases that must establish actual shelter occupancy after release.

7. DHSS/OVS duties

DHSS/OVS shall name a liaison and backup, process qualifying Delaware birth-record requests using the DPCC waiver, report a written deficiency promptly, and support lawful benefits/address pathways without delaying DMV work.

8. SSA coordination

Within 20 business days, DOC shall verify the operative SSA prerelease MOU, signatories, facilities, authorized certifiers, scope, expiration, and audit schedule. This Agreement does not expand SSA eligibility or substitute for the federal MOU.

9. Data, consent, and security

The parties shall use a written consent and share only the minimum information needed. They shall document lawful authority, purpose, users, retention, access, breach response, transmission security, and correction procedures before production use.

Public reporting shall be aggregate and shall exclude names, dates of birth, SSNs, DMV numbers, addresses, document images, and small-cell data that could identify a person.

10. Credential custody

Completed credentials shall be logged, placed in a tamper-evident release envelope, stored in a controlled location, and released using dual-signature chain of custody. Lost or misdirected credentials trigger same-day incident review and replacement action.

11. Staffing and personnel accountability

Within ten business days after signature, each agency shall issue an implementing directive/SOP, assign named employees and backups, train staff, add measurable duties to relevant performance plans, and identify the applicable supervisory and corrective-action process.

Nothing in this Agreement removes just-cause, notice, due-process, collective-bargaining, or other personnel protections.

12. Escalation and dispute resolution

A missed case deadline escalates to the unit supervisor within one business day, statewide coordinator within two, agency program lead within three, agency head within five, and Governor/OMB sponsor within ten or upon a repeated pattern.

Operational disputes must be stated in writing with the legal/operational issue, proposed resolution, owner, and deadline. The Governor/OMB sponsor resolves executive-management disputes; legal questions go to the State Solicitor.

13. Metrics and audit

The statewide coordinator shall publish a monthly aggregate scorecard showing total releases, screened cases, legally eligible cases, pre-release ID-in-hand, same-day post-check-in ID-in-hand, documented after-hours next-business-day cases, pending cases by reason/facility/lane, milestone timeliness, address-path code, and oldest case.

All release-day failures and a quarterly random sample of at least 10% or 30 completed cases, whichever is larger, shall be audited against source records.

14. Administrative complaint

A person affected by a missed release-day ID may submit a complaint to the statewide coordinator orally or in writing. The coordinator shall acknowledge it within one business day and issue a written resolution or recovery plan within five business days.

Unless later authorized by statute, this process does not create a private cause of action or waive sovereign immunity. It does create a documented executive-branch duty to review and respond.

15. Funding

Each party shall identify existing staff, mobile-service, document, postage, and technology costs. No party may stop an individual case because an internal cost allocation remains disputed; the dispute escalates under Section 12.

16. Term, amendment, termination, and continuity

The Agreement begins on the last signature date and remains effective for three years. Amendments must be written and signed by authorized officials. A party may terminate on 90 days' written notice, but shall maintain active cases and participate in a continuity plan.

The parties shall review the Agreement annually and after any material change in law. Invalid provisions are severable to the extent permitted by law.

Signatures

Official	Signature
Commissioner, Delaware Department of Correction	Name: _____ Date: _____
Secretary, Delaware Department of Transportation	Name: _____ Date: _____
Director, Delaware Division of Motor Vehicles	Name: _____ Date: _____
Secretary, Delaware Department of Health and Social Services	Name: _____ Date: _____
Executive sponsor, Governor's Office/OMB	Name: _____ Date: _____
Approved as to form and authority	Delaware Department of Justice: _____ Date: _____

Appendix B. Matching agency directive templates

B-1. DOC Commissioner's directive

Effective [date], every facility shall use the attached Release-Day ID workflow. The warden/superintendent shall designate a primary liaison and backup. Case managers shall open cases 180 days before projected release or within one business day of shorter notice, document the lawful address path, and never use a prison, future, P.O. box, or fabricated address as the physical residence. Supervisors shall review releases at 30, 14, and 3 days. A case is complete only when the credential is delivered and a signed receipt is recorded, subject to the separately reported temporary-lodging and after-hours tracks.

B-2. DelDOT/DMV directive

Effective [date], DMV shall maintain a statewide reentry liaison, senior exception examiner, and backups; precheck packets within five business days; state all deficiencies in one written response when reasonably possible; operate mobile or reserved processing; and issue written address and complex-exception decisions. The Director shall publish a standing list of approved reentry residency documents and a

provider certification form, including the precise effect of §2217's temporary-lodging provision. Reentry cases shall not be rejected through verbal-only advice or an unmonitored general mailbox.

B-3. DHSS/OVS directive

Effective [date], OVS shall maintain a reentry liaison and backup, identify DPCC-waiver requests, provide prompt written deficiencies, and track completion. DHSS reentry/benefit staff shall coordinate lawful address and benefits support without treating a pending benefit application as a reason to delay the DMV file.

Required directive attachments

- Named liaison and backup roster with direct escalation contacts.
- Workflow and lane checklists from this package.
- Consent/data-sharing form approved by counsel.
- Reason-code list and written exception form.
- Card chain-of-custody log and signed release receipt.
- DMV Director-approved reentry residency protocol, temporary-lodging/provider form, and written address-review template.
- Monthly dashboard definitions and audit protocol.

Appendix C. One-person release checklist

Use one checklist per person. Store it in the authorized case system; do not place SSNs or document images on an unsecured paper copy.

Done	Milestone	Proof required
☐	Intake	Release date recorded; current DMV record asked; legal name/aliases and document status recorded.
☐	180 days	Case opened; named owner; consent signed; DMV record-match request sent; lane selected.
☐	150–120 days	Birth/identity documents ordered; SSN proof/card request started if needed; name mismatch addressed.
☐	90–60 days	Address path documented; two separate proofs or approved temporary-lodging/special packet assembled; lawful-presence and complete name-change documents assembled when required.
☐	Within five business days of packet	Written DMV precheck received: ready or complete deficiency list.
☐	45–30 days	Mobile/reserved DMV transaction completed.
☐	Card receipt	Card logged, secured in release envelope, and verified by two staff.
☐	14 and 3 days	Supervisor confirms card ready; red case escalated.
☐	Release day	Card handed to person; signed receipt; benefit/SSA/transport follow-up confirmed.
☐	If exception	Reason code, written reason, owner, next date, appointment, transportation, and five-day review provided.
☐	Release-day shelter track	Direct transport completed; actual occupancy confirmed; provider certifies 30+ days and mail receipt; reserved same-day DMV transaction completed or documented after-hours next-business-day exception.

Release-day exception form

Field	Entry
Person/case number	_____
Release date/facility	_____
Reason code	_____
Plain-language reason	_____
Documents/actions still needed	_____
Named owner and direct contact	_____
Next action and deadline	_____
Appointment/date/location	_____
Transportation plan	_____
Five-day review contact	_____
Supervisor signature/date	_____
Person received copy	Signature: _____ Date: _____

Appendix D. Dashboard definitions and reason codes

Reason code	Meaning	Required escalation
D01	Primary identity document missing	DOC/OVS owner; order date and expected receipt
D02	Secondary identity document missing	DOC owner; written alternative-document review
S01	SSN evidence/card pending	SSA prerelease owner; eligibility/scope check
N01	Name mismatch	DOC + SSA/DMV; identify controlling record and change steps
A01	Ordinary two residency proofs missing or rejected	Written DMV address-path decision; identify each missing proof and Director-approved alternative
A02	Temporary lodging, family-host/couch-surfing, or unsheltered address issue	Senior examiner applies signed protocol; provider/host verification; counsel or regulatory review when no current route fits
I01	Lawful-presence document pending	Senior DMV examiner; qualified legal/referral support
F01	Fraud/duplicate-record flag	DMV integrity/senior examiner written review
M01	Mobile/reserved appointment capacity	DMV program lead; add session or reserved slot
C01	Card produced but not delivered	Chain-of-custody incident; same-day locate/replace
R01	Person declined	Signed informed declination; reoffer and explain consequences
X01	Unexpected/short-notice release	Immediate case opening and post-release handoff

Monthly public scorecard

- Total releases and total screened.
- Legally eligible for a Delaware credential.
- ID physically in hand at release and percentage of eligible releases.
- Pending at release by facility, lane, and reason code.
- Median and oldest case age; milestone timeliness.
- Number of written complaints, five-day resolutions, lost-card incidents, and repeat operational failures.
- Corrective actions completed. No names, SSNs, DMV numbers, addresses, document images, or identifying small cells.

Appendix E. Joint request to state leaders

Subject: 30-day interagency agreement and 90-day pilot for Delaware release-day identification

To the Governor, DOC Commissioner, DelDOT Secretary, DMV Director, DHSS Secretary, and State Solicitor:

Delaware residents leaving correctional custody need legitimate identification immediately for work, housing, health care, benefits, banking, transportation, and other essentials. Existing law provides a DOC personal credential and fee waivers for some people, but it does not ensure every legally eligible person has the completed DMV credential in hand. The attached DMV materials show concrete tools already available: Director-approved residency documents, a temporary-lodging pathway, over-the-counter issuance, and interagency memoranda for specialized ID procedures.

We request one joint response and the following concrete actions:

1. Within 10 business days, designate a Governor/OMB-sponsored statewide Release-Day ID Coordinator and provide the last 12 months of aggregate baseline data.
2. Within 30 days, sign the attached DOC–DMV–DHSS implementation agreement; issue matching directives; and have the DMV Director approve a standing reentry address-document protocol and temporary-lodging/provider certification form.
3. Within 45 days, begin a one-facility pilot using 180-day case opening, written DMV prechecks, mobile/reserved processing, secure card storage, release-day signed receipt, and a tested shelter-check-in/same-day DMV route.
4. At day 90, publish an aggregate scorecard and audit. Success means at least 95% of legally eligible pilot releases have the physical DMV ID by release or by the end of release day after legally necessary shelter check-in. Separately disclose documented after-hours next-business-day completions. Every exception must have a written reason, owner, date, appointment, transportation, and review plan.
5. Verify and provide the current DOC–SSA prerelease agreement, covered facilities, expiration, authorized certifiers, and audit schedule.

Please identify one official who will coordinate the joint response and propose a meeting date within 10 business days. Separate agency referrals are not a substitute for a statewide operating decision.

Respectfully,
[Organization and members]
[Contact information]

Appendix F. DMV document and address tools

Use this appendix before scheduling a DMV transaction. It turns the five attached pages into a short file-building and address-decision system. DMV must approve the proposed address forms before staff rely on them.

F-1. DMV-ready document packet

Category	What the packet should contain	Control that prevents rejection
Identity	One primary and one secondary document under the current DMV table; use originals or certified copies. Examples in the attached guide include a certified birth certificate, passport, court order, prior state ID record, vital-statistics letter, or certified school record, subject to the table's limits.	DMV record match first; exact legal name/date of birth; issuing source verifiable; written precheck.
Social Security	One accepted source: Social Security card, W-2, SSA-1099/non-1099, pay stub with full SSN, or other SSA document with full SSN. Medicare/Medicaid cards are not accepted.	SSA/name match resolved before DMV; use the prerelease process when available.
Delaware residence	Ordinary route: two separate sources showing the physical Delaware address. Qualifying mail must meet the 60-day rule; personal letters, P.O. boxes, photocopies, and printouts do not satisfy the attached instructions.	Written address-path code and two identified source documents; no invented or future address.
Name change	Complete chain of government-issued marriage/civil-union, court-order, and divorce documents as applicable.	Update Social Security first and allow the DMV-stated 48 hours before the transaction.
Credential choice	Request the lawful credential that can be issued now. The §2217 temporary-lodging route specifies a noncompliant document.	Explain that noncompliant is a legitimate state credential but not REAL ID for federal official purposes.
Final precheck	One assembled packet with consent, source-document inventory, address route, and requested transaction.	DMV responds in writing: ready, or one complete deficiency list with owner and deadline.

F-2. Address decision table

Situation	Lawful operating route	When DMV acts	Do not claim
Existing usable DMV record / established address	Match the record; confirm whether retained verified documents and current address satisfy the transaction; supply any required new proofs.	Before release through mobile or reserved processing.	That a prior record automatically cures every material change.

Situation	Lawful operating route	When DMV acts	Do not claim
Stable home already established	Two separate accepted residency proofs showing the applicant's present physical Delaware address.	Before release after written precheck.	A future plan is the present residence.
Actually living in shelter or motel	After other requirements, provider certifies temporary Delaware quarters, at least 30 days, and mail receipt; DMV applies its signed §2217 protocol for a noncompliant credential.	Same day after check-in if actual occupancy cannot occur earlier.	That a future bed reservation alone proves present residence.
Family host / couch surfing	Use two documents expressly approved in the Director's standing protocol—proposed examples are a verified host certification plus a separate DOC/government placement or address record.	Before release only if the address is truthfully present and DMV approves; otherwise same day after occupancy.	That these proposed documents are accepted until the Director signs the protocol.
Unsheltered / no qualifying physical address	Escalate for written DMV/counsel decision; use lawful temporary lodging when available; pursue the narrow regulatory amendment if current law supplies no route.	As soon as a lawful route exists; do not falsely close the case.	That a mailing address or P.O. box alone establishes principal residence.

F-3. Proposed reentry residency certification and DMV ruling

Proposed form—do not use as an accepted DMV document until the DMV Director approves it in writing.

Field	Required entry
Applicant	Full legal name: _____ Date of birth: _____ DOC case no.: _____
Physical residence	Street address: _____ County: _____
Address path	☐ Established home ☐ Shelter/motel ☐ Family host/couch surfing ☐ Other: _____
Actual occupancy	Start date: _____ Applicant is presently living here: ☐ Yes ☐ No
Temporary lodging facts	Residency allowed through: _____ (30+ days: ☐ Yes ☐ No) Mail accepted: ☐ Yes ☐ No
Provider/host certification	Name/title: _____ Organization/relationship: _____ Phone: _____
First residency source	Document: _____ Issuer/source: _____ Date: _____
Second residency source	Document: _____ Separate issuer/source: _____ Date: _____

Field	Required entry
DMV written ruling	☐ Standard proofs satisfied ☐ §2217 temporary-lodging route ☐ Director-approved documents ☐ Deficient
If deficient	Complete written deficiency and lawful alternative: _____
Approval	DMV examiner: _____ Supervisor/Director review if needed: _____ Date: _____

Appendix G. Sources, short quotations, and research notes

Primary Delaware, federal, and other-state sources are listed below. Quotations are deliberately short; the surrounding report paraphrases the source. Links and official titles should be rechecked by counsel immediately before signature or filing.

[1] 29 Del. C. §8915, Program Completion Card. Official source *Short quoted language: "shall ensure that each person … receives a Program Completion Card before release"* Use: Mandatory DPCC duty for covered releases; fee waivers; DOC–DMV–DHSS coordination.

[2] 11 Del. C. §§6516–6517, DOC Commissioner authority. Official source *Short quoted language: "full and active charge"* Use: Commissioner's operational, organizational, and supervisory authority.

[3] 21 Del. C. Chapter 3, DelDOT/DMV administration. Official source *Short quoted language: "adopt and enforce such administrative rules and regulations"* Use: DMV/DelDOT authority to administer Title 21 consistently with law.

[4] 21 Del. C. Chapter 31, licenses and identification cards. Official source *Short quoted language: "if otherwise eligible"* Use: Credential authority, fees, eligibility, and DPCC-related waiver.

[5] Delaware DMV, Required Documents Table. Official source *Short quoted language: "two proofs of Delaware residency"* Use: Identity, SSN, lawful-presence, residency, and name-change requirements.

[6] 2 Del. Admin. C. §2217, Driver License and Identification Card Application Procedures. Official source *Short quoted language: "approval of the Division of Motor Vehicles Director"* Use: Alternative-document review and limited homeless temporary-lodging pathway.

[7] Delaware DOC, Program Completion Card instructions. Official source *Short quoted language: "Present Your DPCC to DMV Staff FIRST"* Use: Official explanation of the DPCC birth-record and DMV fee-waiver process.

[8] Delaware DOC Policy 11-E-10, Intake and Discharge. Official source *Short quoted language: "Discharge planning begins on the date of the inmate's commitment"* Use: Proof that DOC already uses time-based, documented discharge workflows.

[9] Social Security Administration, Benefits after incarceration. Official source *Short quoted language: "give both SSA and the confined individual additional time"* Use: Prerelease agreements and public map listing Delaware DOC under benefits and enumeration.

[10] SSA POMS RM 10225.135, prerelease MOU procedures. Official source *Short quoted language: "formal written MOU"* Use: Required signatories, facilities, authorized certifiers, security, term, and audits.

[11] U.S. Government Accountability Office, GAO-24-105435. Official source *Short quoted language: "Having an ID is essential"* Use: National evidence connecting identification to employment, housing, and benefits.

[12] Delaware Merit Rule 12, Employee Accountability. Official source *Short quoted language: "Employees shall be held accountable for their conduct"* Use: Just-cause discipline, due process, and progressive corrective action for covered employees.

[13] Delaware Constitution, Article III §§14 and 17. Official source *Short quoted language: "take care that the laws be faithfully executed"* Use: Governor's oversight and ability to require written information from executive officers.

[14] PharmAthene, Inc. v. SIGA Technologies, Inc., Delaware Chancery (2010). Official source *Short quoted language: "intended to be bound"* Use: General Delaware agreement-drafting principle: intent plus essential/material terms. This is not a state-agency MOU case.

[15] Delaware Superior Court mandamus decision (Apr. 28, 2026). Official source *Short quoted language: "nothing is left to discretion or judgment"* Use: Mandamus is limited to a precise, nondiscretionary legal duty and is not a general program-management remedy.

[16] Michigan Department of State, mobile ID services for returning citizens. Official source *Short quoted language: "over 98% of people leaving prison"* Use: Proof that mobile prison-based ID processing can reach very high completion.

[17] Illinois DOC Administrative Directive 04.50.101, Reentry Planning. Official source *Short quoted language: "stored in a tickler file"* Use: Monthly batching, return of completed IDs to facilities, secure storage, and release-day issuance.

[18] Delaware DMV on the Go, 2025 season. Official source *Short quoted language: "all transactions performed at a traditional DMV"* Use: Existing mobile capacity with limited stated exceptions; security and facility access still require planning.

[19] Delaware Governor's Cabinet and DMV leadership pages. Official source *Short quoted language: "Cabinet"* Use: Current agency leadership; verify incumbents immediately before sending or signing.

[20] 16 Del. C. Chapter 31, Vital Statistics. Official source *Short quoted language: "Program Completion Card"* Use: Authority and fee treatment for certified Delaware birth records.

[21] Delaware Superior Court, intended third-party beneficiary standing decision (2022). Official source *Short quoted language: "only parties to a contract and intended third-party beneficiaries have standing to sue"* Use: Why an interagency agreement does not automatically create an individual lawsuit right.

[22] Delaware DMV, Office of the Director. Official source *Short quoted language: "Office of the Director"* Use: Current DMV leadership; verify the incumbent immediately before sending or signing.

[23] Five attached Delaware DMV pages supplied by the user: Real ID/document guide pages and 2 Del. Admin. C. §2217 pages associated with 20 DE Reg. 830 (04/01/17). Short quoted language: "allowed residency for 30 or more days" Use: Exact document checklist, physical-address rules, temporary-lodging path, Director approval, and MOU examples. Core provisions were checked against the current official sources [5,6].

[24] Delaware DMV, Real ID / Federally Compliant Driver License / ID Card. Short quoted language: "walk out the same day" Use: Delaware's over-the-counter same-day issuance capability. Official source

[25] Delaware DMV, DMV on the Go for 2026. Short quoted language: "season officially begins" Use: Current mobile capacity and schedule; a correctional-facility deployment still requires agreement, staffing, security, and scheduling. Official source

Current officials to address (verify before use)

As of the research date, official state pages identify Governor Matt Meyer; DOC Commissioner Terra Taylor; DelDOT Secretary Shanté Hastings; DMV Director Amy Anthony; and DHSS Secretary Christen Linke-Young. Titles should control if an incumbent changes. [19,22]

Research limits

This package is an operational and legal-research proposal, not legal advice. The public record does not establish the current percentage of Delaware releases receiving a DMV credential in hand, the exact text and expiration of Delaware DOC's operative SSA agreement, the coverage of every facility, or the internal disciplinary status of any employee. The attached/current §2217 language also does not state unambiguously whether a temporary-lodging provider certificate replaces both ordinary residency proofs or what documents DMV will approve for family-host, couch-surfing, unsheltered, or prerelease cases. Obtain a written DMV Director/State Solicitor determination. The agreement must be reviewed for privacy, public-records, procurement, appropriations, collective-bargaining, immigration, REAL ID, sovereign-immunity, and records-retention requirements before execution.