



# Expanding ID Card Access for LGBT Homeless Youth

By Hannah Hussey October 2015

Center for American Progress



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# Introduction and summary

Research suggests that lesbian, gay, bisexual, and transgender, or LGBT, youth are significantly overrepresented among young people experiencing homelessness.<sup>1</sup> Like other homeless individuals, LGBT young people experience significant challenges while homeless—including limited access to food, shelter, health care, education, and employment. Many of these young people have run away from home or have been kicked out by families who do not accept them for who they are. Regardless of their sexual orientation or gender identity, homeless youth—like other adolescents and young adults—are growing and developing a sense of self, while also navigating homelessness. For LGBT young people, this often includes making difficult choices about whether and when to identify openly as LGBT.

At the same time that they are figuring out how to express who they are to themselves and to others in person, many homeless LGBT youth struggle to prove their identities on paper. State-issued photo identification, or ID, cards are, for a variety of reasons, difficult to obtain for many LGBT and homeless youth. Without an accurate, up-to-date ID card, even routine tasks can become bureaucratic nightmares.

Federal regulations that govern certain state processes for issuing federally accepted ID cards make obtaining these cards more difficult for homeless individuals. In addition to these federal barriers, individual state policies create unnecessary hurdles for homeless young people trying to acquire identification:

- Only 22 percent of states—including the District of Columbia—offer free or reduced-cost ID cards to young people who are homeless.<sup>2</sup>
- Nearly half of all states require some form of consent from a parent or legal guardian to issue an ID card.<sup>3</sup>
- 12 states have no apparent protocols for assisting homeless ID card applicants, and many states have protocols that are unclear or impractical.<sup>4</sup>
- At least 15 states require proof of sex reassignment surgery, a court order, and/or an amended birth certificate for transgender individuals to change the gender marker on their ID card, with additional states using policies that are unclear or otherwise restrictive.<sup>5</sup>

Finding services, housing, and employment requires navigating a variety of different systems that can be challenging for many people and even more difficult for homeless LGBT youth. Using complicated processes to obtain required documentation such as ID cards places an unfair burden on these young people. To ensure that homeless youth are not deterred from reaching their goals because of bureaucratic red tape, it is critical to implement measures that facilitate their access to ID cards, including:

- **Revise state policies to facilitate access to ID cards for LGBT homeless youth.** Relatively simple changes to state policy and practice—such as establishing clear procedures for homeless applicants, implementing free or reduced-cost ID cards, lowering or eliminating parental consent requirements, accepting a broad range of identity documents, and updating policies on gender markers—would create a more user-friendly application process for homeless youth, regardless of their sexual orientation or gender identity.
- **Improve ID card access for youth in foster care, the juvenile justice system, and the criminal justice system.** Helping young people at risk of homelessness obtain an ID card while they are still in systems of state care would remove some of the obstacles they encounter when leaving state care and ensure that ID card access is not a barrier to housing stability.
- **Create or leverage partnerships with the nonprofit community.** By improving coordination, building relationships, and partnering on special events or initiatives with community-based organizations, state ID agencies can tap into pre-existing networks of resources already serving homeless LGBT youth.
- **Establish municipal ID card programs.** Municipalities can act independently of state and federal requirements to establish ID card programs that benefit homeless youth, LGBT individuals, and a wide range of other communities that have low rates of ID card ownership.

Making changes at state ID agencies may not solve the structural barriers to stable housing that exist for LGBT youth. Moving young people off the streets requires a larger investment of resources into housing and shelter programs and related services, as well as further exploration of homelessness prevention initiatives. Low-barrier service models—which may involve not asking for ID cards at all—also merit additional attention. In the meantime, however, reducing the barriers to obtaining ID cards is critical to helping homeless young people access the same opportunities as their peers. If improving the lives of homeless and unstably housed youth is a community responsibility, then ID cards offer ID agencies the opportunity to do their part.

## Why ID cards matter

With the rise of modern technology, concerns about national security and fraud, and ongoing debates about immigration and citizenship, demands to see an ID to access services and conduct business in the course of everyday life have become increasingly common.<sup>6</sup> For instance, presenting an ID card has been expected for starting a new job since 1986, boarding an airplane since 1988, and opening financial accounts since the 1980s and 1990s.<sup>7</sup>

Data on how many LGBT homeless youth actually lack ID cards are scarce. Nevertheless, a few studies offer a glimpse: A 2006 survey found that 11 percent of voting-age U.S. citizens lacked a current government-issued photo ID card, with significantly higher numbers among African Americans—25 percent—and individuals earning less than \$35,000 per year—15 percent.<sup>8</sup> Additionally, 18 percent of survey respondents between the ages of 18 and 24 did not have a photo ID card that accurately reflected their current legal name and address.<sup>9</sup> For homeless youth and LGBT youth, the problem is likely more prevalent: A Seattle service provider reported that at least half of its homeless youth clients had no ID card when they started to receive case management services.<sup>10</sup>

A number of factors contribute to this lack of ID cards among homeless youth—just as a variety of reasons are behind LGBT young people’s departure from their homes. In some instances, LGBT youth are fleeing violence or abuse. In other cases, they are kicked out after a family argument or series of arguments over their sexual orientation or gender identity. Others leave as a result of substance abuse or family poverty. Regardless of how and why they leave, however, many find themselves alone on the streets with no identity documents. Some lack the time to grab documents before they leave home. Others are unable to access documents that are in the possession of their parents or child welfare professionals. And some youth are unable to obtain identification documents because they are not old enough to apply for ID cards or immigrated to the United States without appropriate documentation. Once a person is homeless, the barriers to obtaining copies of existing documentation or getting new documentation increase significantly.

Today, presenting an ID card is critical to obtaining vital services. According to a 2004 survey conducted by the National Law Center on Homelessness & Poverty, or NLCHP, denying services to individuals because they lack ID cards is a widespread practice—even in instances where it may be unlawful to do so or where the individual otherwise would be eligible for services. For example, the survey found that when homeless individuals lacked photo identification, 54 percent “were denied access to shelters or housing services,” 53 percent “were denied food stamps,” and 45 percent “were denied access to Medicaid or medical services.”<sup>11</sup> In some circumstances, individuals must produce a photo ID card to fill a prescription at a pharmacy, a key step in maintaining good health.<sup>12</sup>

Additionally, an ID card is often a required component of getting a job and opening a bank account—both important factors for homeless or unstably housed individuals seeking a way to earn and save money. Without identification, young people may not be able to take a GED exam or apply to college.<sup>13</sup> Some public buildings, including many courthouses, require individuals to show an ID card before entering. Given that LGBT homeless young people have a disproportionate level of interaction with the criminal justice system, ID requirements that might prevent or delay their appearance in court are problematic.<sup>14</sup> In addition, a number of states request some form of photo ID to vote.<sup>15</sup> Even libraries—which otherwise can serve as low-barrier community resources for homeless individuals seeking access to the Internet, print media, or a place to spend time indoors—often require an ID card before allowing visitors complete access to services.<sup>16</sup>

Many cities and states have policies that criminalize homelessness and the strategies used to survive it, such as prohibitions on sitting, lying down, or panhandling in public places, as well as policies that aim to reduce activities such as sex work.<sup>17</sup> When combined with biases against homeless individuals and LGBT young people, these policies can result in high levels of interaction between LGBT homeless youth and law enforcement officers. Lack of identification can exacerbate the consequences of these interactions for homeless individuals. Providers surveyed by the NLCHP reported that in any given month, police asked approximately one-third of their clients to produce an ID card; more than half of those clients suffered harassment or arrest if they could not produce an ID, with officers sometimes justifying this treatment by suggesting that the failure to produce ID constituted obstructing the duties of a police officer.<sup>18</sup> A 2005 Amnesty International report reached similar conclusions, finding that LGBT individuals of color, homeless youth, and transgender youth were particularly vulnerable to frequent demands for identification from law enforcement officers—in some instances, on a daily basis. Amnesty International also cited reports by youth in which police requested and then confiscated or threw away their identity documents.<sup>19</sup>

# The REAL ID Act

In the post-9/11 climate dominated by security concerns, Congress passed the REAL ID Act of 2005, which established, among other things, a series of heightened security requirements for any state-issued ID card accepted by federal agencies. Requirements set forth in the REAL ID regulations mandate that states request and verify certain information before issuing federally acceptable forms of identification, including:<sup>20</sup>

- Proof of identity
- Documentation showing the applicant's date of birth
- Proof of the applicant's Social Security number or verification that the applicant is not eligible for one
- Documentation showing the applicant's address of principal residence
- Evidence that the applicant is lawfully present in the United States

The REAL ID regulations also provide a list of which forms of documentation are acceptable for some of the above categories. For instance, the regulations state that to establish identity, an applicant must present a U.S. passport, birth certificate, Consular Report of Birth Abroad, permanent resident card, employment authorization document, foreign passport with U.S. visa and I-94 form, certificate of naturalization, certificate of citizenship, or REAL ID-compliant driver's license or ID card.<sup>21</sup>

State compliance with these regulations varies,<sup>22</sup> with four states currently out of compliance and several others operating under an extension; controversy from sources across the political spectrum delayed compliance in many states beyond the initial target year of 2008.<sup>23</sup> Increasingly, however, more states have revised their ID card policies and procedures to come into full or partial alignment with the REAL ID regulations.

These regulations pose a significant barrier to many demographics, including homeless youth seeking ID cards. Most obviously, requirements to show an address of residency are, by definition, nearly impossible for those who are homeless and lack a fixed address. Additionally, requirements to provide supporting documents, such as proof of Social Security number, full legal name, date of birth, and/or a photo identity document are often burdensome to young people who left home without any legal identifying documents; to young people whose documentation has been stolen

from them while they were living in shelters or on the streets; and to young people who never had their own copies of these documents to begin with. And unlike older adults, many young people have had less time to establish a paper trail that can be gathered as evidence of their identity or residency.<sup>24</sup>

In addition, obtaining these types of supporting documents without already having a form of photo identification is difficult. For instance, one provider in Maryland who serves homeless clients who want new ID cards takes them through a long process: Clients must track down copies of their medical records—often from a local emergency room that has served them—and use those to obtain a Social Security card that is mailed to the organization’s address under the client’s name. If the client can receive a second piece of mail with their name and the organization’s address on it, the client often can use the two pieces of mail with the Social Security card to obtain a birth certificate, which is also mailed to the organization. Only then can they go to a state office with their new Social Security card, birth certificate, pieces of mail, a statement from the organization, and any other proof that they may be able to gather and apply for an ID card.<sup>25</sup>

Even with the assistance of a caseworker, however, the entire process is extremely time consuming and can be complicated if any single step goes wrong.<sup>26</sup> A report from the U.S. Department of Housing and Urban Development indicated that obtaining an ID card could take weeks or even months, often involving travel to multiple agencies or to a different state.<sup>27</sup> For example, a Seattle provider that helps homeless youth obtain identification estimated that, for youth who have never held a Washington state ID card before, the entire process could take at least six months and cost an average of \$75.<sup>28</sup> LGBT young people who are homeless may grow frustrated with having to take so many steps, often without the benefit of consistent Internet access or reliable transportation, or they may be unable to complete this process over a long period of time—particularly given limits that restrict how long they can access some shelter programs.

Fortunately, however, the REAL ID regulations provide states with the ability to meet the needs of homeless ID card applicants. Under the law, state agencies may elect to establish a written exceptions process for individuals who cannot, for reasons beyond their control, provide the necessary documents, allowing them to present alternative documents. However, there is no requirement that states create processes to facilitate access to identification for homeless individuals or other at-risk populations. As a result, the ease of obtaining ID varies significantly between states. In order to understand ID access for LGBT homeless youth nationwide, the Center for American Progress reviewed the policies in each state, as described in the following sections.

# State requirements

Even in states that are fully compliant with REAL ID, there is wide variation in the processes, costs, and requirements associated with obtaining identification. Indeed, even the state agencies responsible for issuing ID cards can vary: While many states issue ID cards through a Department of Motor Vehicles, or DMV, others utilize their Department of Public Safety or Secretary of State's office. Individual states are also responsible for determining the cost and age requirements for ID cards, as well as for interpreting and implementing federal requirements, such as residency.<sup>29</sup>

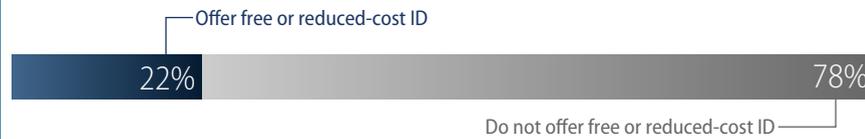
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## Cost

The cost of a state ID card varies significantly from state to state and in some states depends on a variety of factors, including the applicant's age and whether the identification will be used for voting purposes. According to a CAP review of individual state websites, the average cost of obtaining a state ID card for the first time is \$17. In some states, it is significantly more: Hawaii charges \$40, Oregon charges \$44.50, and Washington charges \$54. For individuals who also must obtain other documentation, such as birth certificates, the actual cost is often higher. Indeed, a Charles Hamilton Houston Institute for Race and Justice 2014 report found that free voter ID cards—which sometimes can serve as or require similar documentation as state ID cards issued for other purposes—actually carried secondary expenses that generally ranged between \$75 and \$175 in the three states examined, considering the cost of acquiring supporting documentation, travel, and lost work time.<sup>30</sup>

**FIGURE 1**  
**Free or reduced-cost ID**

Percentage of states—including the District of Columbia—that make free or reduced-cost ID available to homeless or low-income youth



Source: Author's calculations based on review of state ID agency websites, including the District of Columbia, between November 2014 and May 2015. Calculations assume that the ID applicant is not eligible to vote and not currently receiving public assistance. Where information was unclear or unavailable, attempts were made to verify by phone or with other state, nonprofit, or media sources.

Millennials continue to experience high rates of poverty and unemployment,<sup>31</sup> and homeless young people, in particular, are often already struggling to pay for basic needs such as food, shelter, and clothing. Additional fees for an ID card can pose a significant barrier to obtaining identification. Indeed, the survey from the National Law Center on Homelessness & Poverty indicated that 36 percent of clients could not get a photo ID card because “they could not afford one.”<sup>32</sup> However, relatively few states make accommodations for individuals who are low income or experiencing homelessness. Only 22 percent of states and Washington, D.C., offer free or reduced-cost ID cards to young people who are homeless, though there are additional states that offer such discounts to individuals who are already enrolled in public benefits programs, who have a disability, or who are required to have an ID card to vote.

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### Age restrictions

For homeless youth who are under age 18, their status as minors can further impede efforts to obtain an ID card. A handful of states issue identification only to individuals who are at least 14 or 15 years old—potentially a barrier for unaccompanied LGBT youth in particular, who may become homeless at earlier ages.<sup>33</sup> More commonly, states require that youth under a certain age—which can range from 14 to 18—obtain written consent from a parent or legal guardian on their ID card application or bring their parent or guardian to the ID card agency.

FIGURE 2

## Parental consent

Number of states that require minors to obtain consent of parent or legal guardian for ID application

States that require consent



States that do not require consent



Source: Author's calculations based on review of state ID agency websites, including the District of Columbia, between November 2014 and May 2015. "Parental consent" refers to states with requirements for some or all minors ages 13 or older. In a small number of states, exceptions to the requirements may apply in limited circumstances. Where information was unclear or unavailable, attempts were made to verify by phone or with other state, nonprofit, or media sources.

Like their non-LGBT peers, many homeless LGBT youth are estranged from their families of origin or other caregivers, while others have families who are otherwise unavailable because they are dealing with poverty, incarceration, multiple jobs, caring for other relatives, or family substance abuse.<sup>34</sup> Requiring that minors be in contact with their parents or legal guardians to obtain a signature or arrange a joint visit to an ID agency is impractical and, in some instances, would mean reintroducing the young person to a toxic or abusive situation. Currently, 24 states require some form of consent from a parent or guardian, though a small number of these will accept the signature of a social worker, employer, or another adult under certain circumstances.

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## Residency requirements

Under REAL ID, nearly all states now require documented proof of residency as part of their ID card application process, though a few states have yet to do so. For homeless individuals who have no consistent place of residency, this requirement is particularly difficult to meet. Although REAL ID permits states to establish processes for individuals unable to prove their residency in the state, 12 states have not established a process or have nothing in place to make information about any process available to the public.

**FIGURE 3****Homeless exceptions processes**

Number of states with systems established to assist one or multiple demographics of homeless individuals with residency requirements

States without a system

12

States with a system

37

Source: Author's calculations based on review of state ID agency websites, including the District of Columbia, between November 2014 and May 2015. Calculations exclude two states without residency requirements. Where information was unclear or unavailable, attempts were made to verify by phone or with other state, nonprofit, or media sources.

Among the states that do offer a homeless exception to the residency requirement, there is wide variation in how effective and user friendly these processes are. Best practices found in states include: allowing applicants flexibility in describing and documenting their place of residency—for instance, allowing applicants to list a park, corner, or bridge in lieu of a street address; accepting letters of documentation from a range of service providers; or permitting someone with whom a young person lives to complete an affidavit. Some states also promote clarity by posting requirements and relevant forms in an easily accessible online location. For example, homeless applicants in Oregon may use a descriptive address and may use a letter from Oregon State Hospital, a homeless shelter, a halfway house, or a transitional service provider as proof of residency.<sup>35</sup>

In other states, however, the homeless exceptions process is unclear or inadequate. For instance, Delaware regulations permit the issuance of noncompliant identification to applicants with no fixed address, provided that they can prove that they are living in temporary quarters pending a move into a more permanent residence and that the shelter they are staying in certifies that they are allowed residency for at least 30 days.<sup>36</sup> This represents a hurdle for youth who may not know where they will be sleeping the following day or week, let alone have plans for a permanent residence; additionally, programs serving runaway and homeless youth frequently limit the period of time for which a youth can access shelter according to federal guidelines—currently 21 days for basic center programs, for example.<sup>37</sup> State requirements that accept verification only from residential programs also put ID cards further out of reach for youth who are unable or unwilling to sleep at a shelter—a concern for LGBT youth, not only as a result of significant capacity shortages in many communities but also due to considerations related to violence,

harassment, or discrimination from shelter staff or other residents in connection with their sexual orientation or gender identity. Such youth may, however, regularly be interacting with providers at clinics, drop-in programs, or other services that do not provide a bed but that could vouch for their identity and residency in the state. Other states count documentation from a provider as only one of two required forms of proof of residency—a challenge when other types of proof are documents such as leases, utility bills, or renters’ insurance, which homeless youth are unlikely to have.

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## Proof of identity

The requirement that young people prove their identity is challenging for those who are homeless and without documents such as birth certificates, passports, and Social Security cards. Some states, but certainly not all, offer a broader range of options for applicants, including a school ID card or transcripts, employment ID cards, juvenile or adult correctional facilities’ identification or records, state agency documentation, or medical records, often requiring more than one or permitting them as supplementary proof accompanying a “primary” document, such as a birth certificate or passport. Even these requirements, however, can be difficult to meet: Many homeless young people do not attend school; do not have consistent employment, sometimes because they lack identification; struggle to access appropriate health care; and cannot enroll in state benefits programs without being able to prove their identity. Homeless young people are unlikely to have documents such as passports, given estimates suggesting that more than half to approximately two-thirds of U.S. residents do not have a valid passport.<sup>38</sup> And while many homeless LGBT youth do interact at some point with the criminal justice system, young people should not have to be locked up to obtain a state ID card.

# Communities with unique barriers

Although the barriers to obtaining identification are high for homeless youth in general, certain demographics of homeless youth face additional challenges. In particular, transgender youth, undocumented immigrant youth, and system-involved youth—those who have been involved in the child welfare or juvenile justice systems—may struggle to navigate a system that refuses to recognize them based on their gender identity or expression, their legal status in the United States, or their history of involvement in state systems of care.

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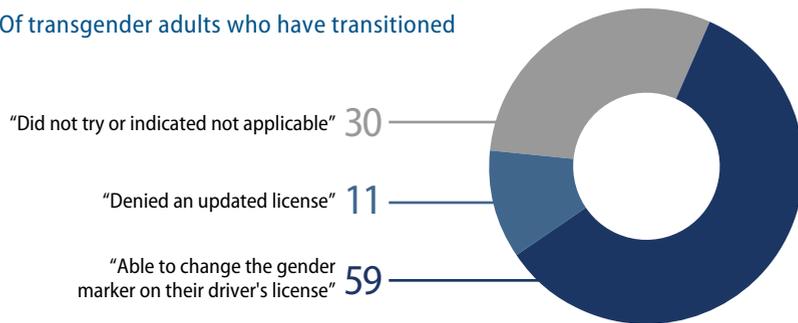
## Transgender youth

Even transgender and gender-nonconforming individuals who have stable housing struggle to secure an ID card that accurately reflects their names and genders due to systemic barriers that complicate the process, as well as discrimination and harassment from government employees. For instance, when Chase Culpepper went to a South Carolina Department of Motor Vehicles to get a driver's license, DMV employees told the 16-year-old that they would not take a photo unless Culpepper removed all makeup. With the assistance of legal advocates, Culpepper reached a settlement with the state, resulting in a new policy: Individuals of any gender can wear makeup, and DMV employees receive training on serving transgender and gender-nonconforming clients.<sup>39</sup>

Culpepper's is a story of success, but unfortunately, many encounters at ID agencies end in disappointment and frustration. Data from a national survey of transgender adults suggest that discrimination is pervasive: One-third of respondents who had transitioned had not updated any of their records or their ID card with new gender markers, and only 59 percent had a driver's license or state ID card that reflected their gender identity. These numbers were worse for respondents of color, low-income respondents, and respondents with lower levels of educational attainment.<sup>40</sup> Of respondents who used gender-incongruent identification, 40 percent said that they had experienced harassment, 15 percent said they had been "asked to leave an establishment," and 3 percent said they had been "assaulted or attacked."

**FIGURE 4**  
**Percentage of transgender adults with up-to-date ID gender markers**

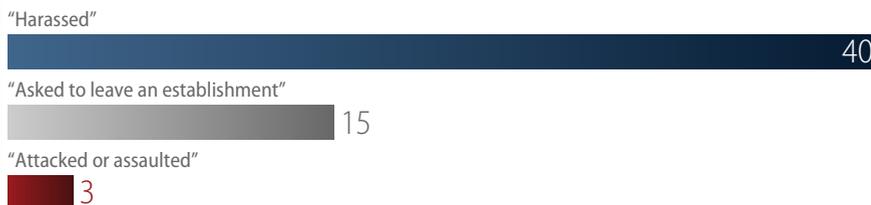
Of transgender adults who have transitioned



Source: Jaime M. Grant and others, "Injustice at Every Turn: A Report of the National Transgender Discrimination Survey" (Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), available at [http://www.thetaskforce.org/stat-ic\\_html/downloads/reports/reports/ntds\\_full.pdf](http://www.thetaskforce.org/stat-ic_html/downloads/reports/reports/ntds_full.pdf).

**FIGURE 5**  
**Consequences of incongruous gender markers or names**

Percentage of transgender adults who used incongruous identity documents and experienced negative outcomes



Source: Jaime M. Grant and others, "Injustice at Every Turn: A Report of the National Transgender Discrimination Survey" (Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011), available at [http://www.thetaskforce.org/stat-ic\\_html/downloads/reports/reports/ntds\\_full.pdf](http://www.thetaskforce.org/stat-ic_html/downloads/reports/reports/ntds_full.pdf).

Requirements on changing gender markers on ID cards vary from state to state. Fifteen states require proof of sex reassignment surgery, a court order, and/or an amended birth certificate for transgender individuals to change the gender marker on their identification. Additional states have unclear policies, lack a policy altogether, or require proof of clinical treatment or documentation from a narrow range of licensed professionals.<sup>41</sup> For homeless young people who cannot afford to or who choose not to medically transition, these requirements make it difficult to obtain an ID card with the appropriate gender marker, and they leave young people vulnerable to the sometimes arbitrary decisions of judges, health care personnel, and others charged with determining how their gender is recorded on paper.

Additionally, young people who have legally changed their names must provide proof of the name change to ensure that their current name is printed on their ID card and to create a link to past identity or residency documentation under their previous name. Even the act of legally changing a name without any form of identification documents is challenging, as applicants would need to obtain an identity document in their birth name before going to court to change their legal name, and only then could they apply for a new ID card.

Even where modern and affirming policies are in place, these policies may not be readily apparent to youth—or even to nonprofit employees or DMV staff—who are seeking to understand and meet the requirements. A 2014 analysis, for instance, found that only 45 percent of states list the policy for a gender marker change online; only 35 percent make the required form available online; and only one state, Rhode Island, lists the policy on the form itself.<sup>42</sup> All of these pose additional challenges for homeless youth with little documentation, limited time, and few resources to navigate often opaque government services.

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## Undocumented youth

Among the requirements established by the REAL ID Act, the one about immigrant applicants showing proof of their legal status in the United States creates a substantial barrier for undocumented individuals who want a basic form of identification. Unable to obtain forms of identification recognized by most U.S. authorities, immigrants must rely on documents such as current or expired U.S. visas or those issued by their countries of origin, while some have no form of identification at all.<sup>43</sup> While some states do make driver's licenses or ID cards available to undocumented immigrants, these forms of identification are still not federally compliant. As discussed previously, these barriers are often more difficult to overcome when combined with the challenges of living as an unaccompanied homeless youth. Indeed, there is some evidence that even U.S. citizens with undocumented parents may face issues regarding documentation: A lawsuit suggests that Texas has refused to issue birth certificates to children born in the United States to hundreds and possibly thousands of undocumented parents, primarily since 2013.<sup>44</sup>

Research on the lack of identification among undocumented immigrants highlights a number of issues that, while perhaps not unique to this community, indicate a clear need for action. Like other communities without identification, undocumented immigrants are often unable to access basic services, such as appropriate medical care. Lack of an ID card also puts them at greater risk for other health

and safety problems. For instance, some cities have reported that immigrants have become easy targets for theft, with perpetrators assuming that because individuals without identification cannot open a bank account, they may be carrying large amounts of cash.<sup>45</sup> Additionally, lack of an ID card can hinder relationships with law enforcement officers, as undocumented individuals may refrain from reporting workplace abuse or other crimes to police for fear of being asked to show an ID card, revealing their immigration status.<sup>46</sup> Finally, a lack of identification documents—such as an ID card, birth certificate, or passport—can make it more difficult for undocumented young people to access programs such as Deferred Action for Childhood Arrivals, or DACA.

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## System-involved youth

Research indicates that LGBT youth are overrepresented in both the foster care and juvenile justice systems.<sup>47</sup> It is easy for these young people to become caught in a cruel cycle: Without safe and supportive homes, many are placed in unsuitable foster care situations or land in juvenile justice or adult facilities after resorting to criminalized survival strategies on the streets; once they are in these systems, LGBT young people experience further violence and harassment, fall behind in educational attainment, and face limited access to career opportunities and certain forms of public benefits, placing them at even greater risk of continued housing instability. Without an ID card, their prospects are worse.

New federal legislation requires that states provide a form of state ID and other important records to foster youth who are exiting the foster care system and are 18 years old or older.<sup>48</sup> However, state implementation may not yet be reaching all young people, and the measure does not help youth who run away from a foster placement before age 18, often into homelessness. Many foster or former foster youth lack basic forms of identification. For instance, foster youth in Michigan noted that many youth in the state's foster care system do not have copies of their own documentation papers—such as birth certificates, Social Security cards, or a state ID card—and that it is important for young adults to have personal access to these. It is not enough that there may be copies stored away in a caseworker's file.<sup>49</sup> For young people without identification and limited options for obtaining any, opportunities to work or attend school are often limited—which also can reduce housing stability.<sup>50</sup>

There is little research available to indicate the extent to which this problem is present in the juvenile justice system. However, anecdotal reports reveal that both youth and adults coming out of correctional facilities often leave with no state ID card—in some instances, because their original ID card was confiscated or improperly stored—despite suggestions that providing ID cards could help smooth barriers to re-entry and reduce recidivism.<sup>51</sup>

## Improving ID card access for homeless youth in New York state

New York is one state that provides a model for creating an infrastructure within its state ID card systems designed to assist unaccompanied homeless youth. James Bolas, executive director of the New York Coalition for Homeless Youth, has played an integral role in establishing and coordinating this initiative, and today, he is able to see it make a difference for youth and providers in their interactions with the DMV.

Because no one was advocating for unaccompanied homeless youth and recognizing the Catch-22 of needing ID to get ID, a group of advocates and providers reached out to the New York DMV beginning in 2002 to highlight the needs of youth without identification and to discuss possible solutions to the problem. Despite heightened security concerns after the 9/11 terrorist attacks, the group built relationships with state DMV officials and shared compelling stories about the importance to unaccompanied youth of holding an ID card.

Over the course of eight years, the coalition instituted a public education campaign that included data reports, case scenarios, and articles within its biannual “State of Homeless Youth in NYC Report.” Through a contact in the Office of Children and Family Services, or OCFS, their concern was collectively introduced to the OCFS commissioner, who started a dialogue with peers at the DMV. This opened the door to a collaborative relationship with the DMV to establish a form<sup>52</sup> specifically for homeless youth served by state-regulated providers, including transitional living programs, shelters, drop-in centers,

and host homes. New York collects proof of identity through a point system: Individuals must present enough pieces of documentation, each assigned a point value, to get an ID. Previously, these documents and their attached values had to total six points. Through its work, however, the coalition reduced the number of documents that homeless youth had to provide.

Key to the success of the program has been coordination and ongoing relationships between providers, advocates, and DMV staff. For instance, Bolas maintains an updated list of runaway and homeless youth programs and staff contact information. These details are shared with DMV employees on the agency’s internal system. Additionally, a designated staff member at the DMV is equipped to respond to any problems that youth or the provider who accompanies them might have when applying for an ID card at a branch office.

As a result, the process for obtaining an ID card has become significantly easier for homeless young people and the providers who work with them—allowing these youth to find employment, regain custody of children, and enter courthouses or other federal buildings to resolve tickets and attend arraignments. In addition, Bolas noted that there are certain intangible benefits that come with having an ID card. “It’s validating to the young person,” he explained. “It allows young people to take responsibility for themselves, and it reinforces their sense of self.”

# Recommendations

While the federal REAL ID Act presents significant barriers to documentation for homeless or unstably housed LGBT youth, and particularly to undocumented members of this community, there are a number of changes that states and municipalities can make to facilitate ID card access for homeless young people while still remaining in compliance with federal regulations. States could take these steps independently of federal action, helping young people access critical resources.

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## Revise state policies to facilitate access to ID cards for youth who are LGBT and/or homeless

To ensure that LGBT homeless youth can obtain a state ID card, state lawmakers and agency officials must create clear policies and procedures to address their needs. Some states have two-tiered ID card systems, offering an enhanced or federally compliant ID card as well as a “not for federal use” ID card for individuals who can satisfactorily prove their identity to the state but who do not meet federal requirements. However, states can also take action that is consistent with the requirements under REAL ID. A policy that meets federal requirements while removing some of the barriers to obtaining an ID card for LGBT homeless youth includes several components:

- **Establish a clear homelessness exceptions procedure.** Under REAL ID, states can create an exceptions process for individuals who are unable to meet documentation requirements. States should clearly communicate this process with all staff members and with service providers who work with LGBT youth, as well as post it online. As part of an exceptions procedure, states should allow homeless individuals to use the address of a shelter or nonresidential service provider as their own mailing address. States also should allow a descriptive street address—for example, “under the 9th Street bridge”—with alternative options for mailing addresses for unsheltered homeless individuals. Expanding the types of acceptable identity and residency documents to include those that youth are more likely to have access to—student ID cards, school records, and state

agency records—also would be helpful.<sup>53</sup> When youth have no Social Security card of their own, states should explore alternative methods to meet this federal requirement. For instance, Wisconsin simply asks applicants to provide their Social Security number.<sup>54</sup> Because the documentation needs of each homeless youth are different, states should offer as broad an array of forms of proof as possible. Even with more options, though, some youth will be simply unable to meet state documentation requirements, so states should permit them to present a letter from a service provider or an affidavit of residency or identity.

- **Reduce or waive fees to obtain a state ID card.** Even a modest fee can make it difficult for a homeless young person to obtain identification—and in many states, the cost of obtaining an ID card is far from modest. Free or reduced-cost ID cards are available in many states for the elderly, for individuals with disabilities, and for those receiving certain federal or state benefits. States should establish eligibility categories so that homeless individuals also qualify for a free ID card. Models for this already exist: Connecticut waives the fee for applicants who can prove residency in a homeless shelter. Nevada permits a one-time fee exemption for individuals who declare themselves to be homeless. Illinois, Kentucky, and Washington, D.C., have provisions governing the issuing of no- or low-fee cards to individuals who meet a definition of homelessness. To be youth friendly, free or low-cost ID cards should be provided to homeless individuals without requiring extensive documentation or participation in public benefits programs.
- **Reduce or eliminate age restrictions and parental consent requirements.** For youth who are minors and estranged from parents or guardians, age-related restrictions present an unnecessary obstacle to obtaining an ID card. States should make ID cards available to individuals of any age. They also should lower or eliminate parental consent requirements so that those youth who become homeless at young ages are able to prove their identities in everyday situations. Additionally, coordination across systems would allow states to ensure that unaccompanied minors can access and consent to the release of relevant supporting records where appropriate.
- **Update policies on changing gender markers.** At a minimum, states should modernize their ID card policies by eliminating requirements of surgery or other specified treatment for changes to gender markers and permitting a broad range of providers to attest to the gender identity of the applicant. User-friendly gender designation forms that explain the state policy—available online, as well as in person—would complement these changes.<sup>55</sup> Ideally, states should consider adopting the model currently used for New York City municipal cards, which permits individuals to designate their own gender using three gender marker options:

male, female, or not designated.<sup>56</sup> It is also important that all new and existing staff members at ID agencies receive training in LGBT cultural competency and respectfully serving transgender and gender-nonconforming applicants.

- **Re-examine policies for other forms of identification documents and vital records.** Many of the issues that make obtaining an ID card difficult for unaccompanied homeless youth also affect their access to other records, such as birth certificates. States should examine and revise age restrictions, proof-of-identity requirements, gender marker change policies, and other potential barriers, bringing the process for obtaining certified copies of identity documents and vital records in line with recommended best practices.<sup>57</sup>

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## Improve ID card access for youth in foster care, the juvenile justice system, and the criminal justice system

LGBT youth who have been incarcerated or who have left the foster care system are at high risk for homelessness. Ensuring that these youth are provided with an ID card before they leave systems of state care and custody could act as a preventive measure. Youth who can obtain an ID card before becoming homeless will have fewer barriers to proving residency and identity—and having an ID card with which to secure employment and utilize services could make attaining stable housing easier from the start.

- **Implement U.S. law.** Too often, LGBT youth in the foster care and juvenile and criminal justice systems fall through the cracks. State DMVs can help put these youth on equal footing with their peers by ensuring that young people in these systems have access to the identification documents that they will need to enroll in school, obtain employment, and utilize social services. States should implement the Preventing Sex Trafficking and Strengthening Families Act<sup>58</sup> so that all young people who are ages 18 and older and aging out of the foster care system have appropriate identification.
- **Enact new policies to address other youth in state systems of care.** States should consider enacting new legislation or policies to facilitate access to identification for younger foster youth and for individuals exiting juvenile and adult confinement facilities. A variety of models are available to meet the needs of different populations: Station full- or part-time DMV employees at jails and probation facilities to assist individuals preparing for re-entry with obtaining

identification;<sup>59</sup> coordinate across agencies; and use mobile DMV offices. The American Bar Association has recommended that state agencies share documentation electronically, where appropriate, and lift the requirements that youth seeking state assistance must produce physical copies of documentation. This would further reduce the barriers created by the ID card process.<sup>60</sup>

- **Collect data to better identify the extent of the problem and target solutions.**

While feedback from youth and service providers suggests that lack of identification is a major problem, the exact numbers for youth populations are not available. Where possible, states should ask questions regarding ID card ownership by foster youth and those in the juvenile justice system to identify potential areas of vulnerability and opportunities for intervention. For instance, New York City’s Administration for Children’s Services, or ACS, tracks the number of youth in foster care who requested and received assistance with obtaining identification documents—which ACS is able to obtain far more quickly than youth could on their own—through the agency’s Vital Records Unit.<sup>61</sup> Additionally, federal, state, and local policymakers and researchers should explore the feasibility of adding questions regarding sexual orientation, gender identity, and possession of an ID card and other basic documentation to surveys and studies on youth homelessness.

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## Create or leverage partnerships with the nonprofit community

Many providers that serve homeless and LGBT youth already have strong relationships with these young people, making them well versed on the documentation barriers that the youth experience. Indeed, many providers currently work with young people to help them secure an ID card. By partnering with the nonprofit community, state ID card agencies can find innovative ways to meet the needs of young people. For instance, several communities periodically hold an event called Project Homeless Connect to assist homeless individuals in obtaining an ID card, often making state employees available on-site, which removes transportation barriers.<sup>62</sup> Holding these events at sites that are easily accessible to youth—such as schools, LGBT centers, youth-serving health clinics, or drop-in centers—might be able to further enhance the efficacy of such events for homeless or unstably housed youth communities. Florida has enhanced such partnerships by establishing several mobile units, offering identification and other services from a bus.<sup>63</sup>

States can also partner with providers to create a more user-friendly application process for homeless youth who are applying at branch offices of an ID agency. For instance, states can work with community-based organizations to clearly communicate standardized information to homeless applicants. Many homeless youth providers already receive state funding or are governed by state regulations or licensing requirements; creating more formal partnerships may allow them to vouch for the identity and residency of young people. Finally, states also could consider designating one or more ID agency employees to assist homeless clients at each branch office or to coordinate and troubleshoot the provision of ID card services to homeless youth.

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### Establish municipal ID card programs

Since 2007, a growing number of municipalities are offering city ID cards to residents.<sup>64</sup> Because these ID cards are not intended for federal use, they are not required to conform to the REAL ID regulations. As a result, these municipalities have flexibility in creating application processes that are user friendly for traditionally disenfranchised populations. Municipalities should consider creating their own ID cards, which should include eligibility for undocumented immigrants, follow best practices for designating gender markers, and provide a significant range of options regarding proof of residency and identity.

Notably, many of the city ID card programs already in place incorporate some of these features. The New York City ID card permits three options for gender markers—male, female, or not designated—and requires as proof only the applicant’s statement affirming their gender identity.<sup>65</sup> New York City also accepts a broad range of documents to prove residency—including a letter from a city agency, nonprofit organization, religious institution with services for homeless individuals, or hospital or health clinic located in the city.<sup>66</sup> And several cities—including but not limited to New York City; Los Angeles, San Francisco, and Oakland, California; and New Haven, Connecticut—offer ID cards to undocumented immigrants.<sup>67</sup>

Although municipal ID cards are not acceptable for federal purposes, they can give homeless individuals the opportunity for easier interactions with local authorities, improve their access to financial or city services, clarify emergency contact or medical information, and reduce the impact of profiling by law

enforcement.<sup>68</sup> Many cities have gone as far as to design ID cards that also serve as a prepaid debit card, provide access to services such as public transportation and public libraries, or include discounts to local businesses or city-owned attractions.<sup>69</sup> These innovations help meet other needs of marginalized populations. Importantly, they also make the ID card more attractive to the general public, reducing the likelihood that the cards will be used inappropriately as information about an individual's immigration or housing status.

# Conclusion

Ending LGBT youth homelessness is a complex task that requires much more than changes to state ID card laws—including funding for shelter programs; investment in affordable housing; adequate physical and mental health services; and structural changes to the foster care, juvenile justice, and education systems.<sup>70</sup> However, for LGBT youth who are living on the streets, on couches, or in shelters while they are trying to obtain employment, gain admittance to educational institutions, apply for jobs, or enroll in government benefits and services, the inability to get an ID card acts as a frustrating and preventable barrier to critical opportunities. Removing unnecessary restrictions is a simple way to open up a broad range of opportunities to LGBT homeless youth; reduce complications for the providers who work with them; and, ultimately, provide them with a form of state recognition that they can hold in their hands.

# Appendix

**TABLE A1**  
**State-by-state review of ID policies for homeless young people**

State	Fee*	Free or reduced-cost ID available**	Parental consent required***	System to address residency requirement available****	Still requires proof of transition-related surgery, court order, or amended birth certificate to change gender markers, or policy is unknown or unclear
Alabama	\$23.50				●
Alaska	\$15.00				
Arizona	\$12.00		●	●	
Arkansas	\$5.00		●		●
California	\$28.00	●	●		
Colorado	\$10.50			●	
Connecticut	\$22.50	●		●	
Delaware	\$20.00		●	●	
District of Columbia	\$20.00	●		●	
Florida	\$25.00	●		●	
Georgia	\$20.00	●	●	●	●
Hawaii	\$40.00		●	●	
Idaho	\$10.00			●	
Illinois	\$10.00	●		●	
Indiana	\$11.50			●	
Iowa	\$8.00		●		●
Kansas	\$22.00			●	●
Kentucky	\$12.00	●	●	●	●
Louisiana	\$21.00		●	●	●
Maine	\$5.00		●	●	
Maryland	\$15.00		●	●	
Massachusetts	\$25.00		●		
Michigan	\$10.00			●	●

State	Fee*	Free or reduced-cost ID available**	Parental consent required***	System to address residency requirement****	Still requires proof of transition-related surgery, court order, or amended birth certificate to change gender markers, or policy is unclear
Minnesota	\$21.25				
Mississippi	\$17.00				●
Missouri	\$11.00			●	●
Montana	\$8.00			●	●
Nebraska	\$26.50				
Nevada	\$9.25	●		●	
New Hampshire	\$10.00			●	
New Jersey	\$24.00				
New Mexico	\$10.00			●	
New York	\$10.00		●	●	
North Carolina	\$10.00	●		●	●
North Dakota	\$0.00	●	●		●
Ohio	\$8.50			●	
Oklahoma	\$20.00		●		●
Oregon	\$44.50			●	
Pennsylvania	\$27.50		●	●	
Rhode Island	\$26.50	●		●	
South Carolina	\$5.00		●	●	●
South Dakota	\$28.00		●	●	●
Tennessee	\$5.00		●	●	●
Texas	\$16.00			●	●
Utah	\$18.00		●	●	
Vermont	\$20.00		●	●	
Virginia	\$10.00		●		
Washington	\$54.00		●	●	
West Virginia	\$10.00		●	●	
Wisconsin	\$28.00			●	
Wyoming	\$10.00				●

\*Based on 17-year-old not eligible or registered to vote

\*\*For homeless or low-income young person not receiving public assistance and not eligible to vote

\*\*\* For some or all minors ages 13 or older; exceptions may apply in limited circumstances

\*\*\*\* States with systems available include wide variations in quality, ranging from states with specific forms for unaccompanied homeless youth to states that have few or no designated resources for homeless individuals but do permit some unstably housed individuals to access ID through certain processes, such as applying at the ID agency accompanied by a person with whom they are residing

Source: Research was conducted on state ID agency websites, including the District of Columbia, between November 2014 and May 2015. Calculations assume that the ID applicant is not eligible to vote. Where information was unclear or unavailable, attempts were made to verify by phone or with other state, nonprofit, or media sources.

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## About the author

**Hannah Hussey** is a former Research Associate for LGBT Progress at the Center for American Progress. Prior to joining the Center, Hussey served as coordinator for the Massachusetts Commission on Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning Youth, an independent state agency dedicated to recommending policies, programs, and resources for LGBT youth to thrive. In that role, Hussey helped write and implement policy recommendations to 15 state agencies on topics including education, health, foster care, juvenile justice, housing, immigration, transportation, and workforce development. She also led an initiative to create a comprehensive map and database of culturally competent services available to LGBT youth throughout the state to improve accessibility and identify resource gaps. Previously, Hussey held internships with MassEquality and the Boston Consortium on Gender, Security and Human Rights and received a B.A. in sociology and women's, gender, and sexuality studies from Tufts University.

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## Our Mission

The Center for American Progress is an independent, nonpartisan policy institute that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country.

## Our Values

As progressives, we believe America should be a land of boundless opportunity, where people can climb the ladder of economic mobility. We believe we owe it to future generations to protect the planet and promote peace and shared global prosperity.

And we believe an effective government can earn the trust of the American people, champion the common good over narrow self-interest, and harness the strength of our diversity.

## Our Approach

We develop new policy ideas, challenge the media to cover the issues that truly matter, and shape the national debate. With policy teams in major issue areas, American Progress can think creatively at the cross-section of traditional boundaries to develop ideas for policymakers that lead to real change. By employing an extensive communications and outreach effort that we adapt to a rapidly changing media landscape, we move our ideas aggressively in the national policy debate.

