EMPLOYMENT RIGHTS of Sexual Assault Victims
While the right to vote is a long-recognized fundamental right in our country, the struggle for equal voting rights continues for certain citizens. Over the years federal laws have aimed to ensure that all citizens have an equal right to participate in our democracy through elections. Our election laws have evolved considerably, but low-income people, particularly homeless people, still face barriers when attempting to exercise their right to vote.

States have a history of making it difficult for persons not residing in “traditional dwellings” to vote. Today federal laws, case law, state statutes, and advisory opinions have eliminated the requirement that voters reside in traditional dwellings. While this legal barrier has been reduced, lacking a traditional dwelling still puts homeless people at a disadvantage when attempting to register and to vote. A homeless person without a stable residence or identification documents may still have difficulty registering and voting. State election laws create barriers by imposing durational residency requirements, mailing address requirements, or identification requirements and by purging voter registration lists in particular ways. One troubling recent trend concerns new state voter photo identification requirements that low-income and homeless persons cannot meet. All of these barriers can disenfranchise homeless people.

Although the homeless face more barriers than the housed when registering and voting, homeless people can learn ways to overcome some of those barriers if they know their rights. Advocates, service providers, and policymakers each can do their part to make voting truly accessible to all.

I. Voting Barriers for Homeless Persons

While the requirement that a voter live in a “traditional dwelling” has been eliminated, a homeless person may still encounter mailing address, residency duration, and identification requirements and may even be purged from voting rolls altogether. We need to understand how the law works with respect to these requirements so that we can preserve homeless persons’ right to vote.

A. Residency in a Traditional Dwelling

State laws require that a person must reside within either the state or the registrar’s jurisdiction to register to vote. In the past many states did not adequately define “residency.” Local officials often construed the residency requirement as having to live in a “traditional dwelling,” such as a house or apartment. When strictly applied, this interpretation posed a problem for homeless persons, who generally reside in nontraditional dwellings or on the streets.
Before the enactment of the National Voter Registration Act of 1993, courts held that requiring voters to live in a traditional dwelling placed an unconstitutional constraint on the voting rights of homeless persons. These courts held more specifically that the traditional dwelling requirement violated the equal protection clause of the Fourteenth Amendment because such a requirement interfered with the fundamental right to vote. These courts also found the traditional dwelling approach inconsistent with the typical legal definition of residence; they held that nothing in the state law definitions of residence required living in a traditional dwelling. Instead these courts adopted a broad interpretation of the term to include any place, including a nontraditional dwelling, that an individual inhabited with the intent to remain for an indefinite period.

Today the National Voter Registration Act’s regulations permit registration using a nontraditional residence. The Act requires the Federal Election Commission to create a national mail-in voter registration form with instructions for an applicant who “has a nontraditional residence” simply to draw a “local map” showing specifically where the applicant lives. The Act’s regulations and the national voter registration form thus make clear that homeless residents need not inhabit a traditional residence in order to register to vote.

While homeless people in all states may not be denied the right to vote for lack of a traditional dwelling, many states have amended voter registration statutes or have issued advisory opinions expressly ensuring that an individual’s homeless status may not be a basis for denying registration. Thus, under the Act and the laws of all states, failure to reside in a traditional residence no longer precludes a homeless individual from registering to vote.

B. Mailing Address Requirements for Voter Registration

Many states require registrants to have a valid mailing address for voter registration. Since many homeless people do not have an address for receiving mail, this requirement is problematic. Shelters and government offices frequently do not allow people to receive mail there. The U.S. Postal Service charges fees for post office boxes and allows general mail delivery only at central post office locations with very short opportunities during the workday for mail pickup.

Despite the difficulties that a mailing address requirement poses for homeless persons, the requirement’s validity under the federal constitution and applicable state laws has yet to be tested. However, if a homeless person is unable after a reasonable effort to locate an individual or organization willing to be designated as a mailing address, the mailing address requirement could be challenged legally because it imposes a substantial burden on the homeless person’s right to vote. In this situation an advocate could argue that the state should use a less restrictive method of updating and verifying voter information—one that does not impose an unconstitutional burden on a particular group. For example, a state could allow a homeless person to designate a government office or a reliable “contact point” as a mailing address.

If a state flexibly administers the mailing address requirement, challenging the requirement on constitutional grounds becomes more difficult because a flex-

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2 Since voting is a fundamental right and the traditional dwelling requirement severely restricts the voting rights of homeless persons, courts have subjected the requirement to a higher standard of review. See Pitts, 608 F. Supp. at 709; Collier, 221 Cal. Rptr. at 113.

3 Pitts, 608 F. Supp. at 709; Fischer, 741 P.2d at 221; Collier, 221 Cal. Rptr. at 112.


ible mailing address requirement does not necessarily preclude homeless persons from registering to vote. Instead the requirement may make it more difficult only for homeless persons to remain registered since states keep voter registration lists current in part through mailed residence verification forms to be filled out and returned by the voter. If a court were to determine that the state had administered the address requirement reasonably, invalidation of the requirement would be unlikely.

For now, a homeless person may satisfy the mailing address requirement by finding a willing individual or organization with a valid mailing address where the homeless person can regularly check for and receive mail.

C. Impact on the Mobility of Homeless Voters

At present most states have registration deadlines requiring voters to register before the date of an election. A majority of these states require registrants to submit voter applications approximately thirty days before the election. Such deadlines are implicitly endorsed by both the National Voter Registration Act and the Voting Rights Act Amendments of 1970, prohibiting states from closing voter registration more than thirty days in advance of an election. The U.S. Supreme Court, expressly approving both thirty- and fifty-day registration deadlines, finds that such deadlines should be sufficient for a state to perform any administrative tasks necessary to prevent voter fraud. However, the Court also suggests that the fifty-day deadline likely represents the outer constitutional limit for voter registration deadlines.

Many states also impose durational residency requirements, requiring that applicants reside in the state or election district for a certain period before an election in order to be eligible to vote. Like registration deadlines, these durational residency requirements aim to reduce voter fraud and facilitate informed voting. However, the Supreme Court holds that durational residency requirements longer than fifty days may unconstitutionally infringe upon an individual’s right to vote and right to travel. In Dunn, for example, the Court invalidated a Tennessee law that required one year of residence in the state and three months of residence in the county as a precondition to voter registration. The Court indicated that less restrictive methods could prevent voter fraud and facilitate informed voting and suggested that a thirty-day residency requirement would suffice to achieve the state’s interest in reducing voter fraud. In Marston v. Lewis the Court upheld Arizona’s fifty-day residency requirement as necessary to serve the state’s interest in maintaining accurate voter lists. Most states have durational residency requirements of thirty days or less to comply with Dunn.

Registration deadlines and durational residency requirements raise potential problems for homeless persons who may be forced to relocate due to shelter stay limits, police sweeps, or other events beyond their control. Such relocations could interfere with meeting durational residency requirements and render the homeless ineligible to register to vote.

In contrast, all states allow registrants moving within the same “registrar’s jurisdiction” and the same congressional district during a federal election to

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6 For state-by-state information about registration deadlines and durational residency requirements, see National Association of Secretaries of State, State Election Office Contact List, www.nass.org/electioninfo/state_contacts.htm (last visited July 24, 2006).
8 Burns, 410 U.S. at 687.
9 Dunn, 405 U.S. at 330.
10 Id.
vote in that jurisdiction. The National Voter Registration Act allows one moving within a registrar’s jurisdiction during an election to vote at the previous polling location, the new polling location, or a central polling location as long as one affirms the new address when voting. A registrant changing addresses within a territory served by the same polling place should be allowed to vote at the same polling place upon affirmation of the new address. The Act does not require registrants to give election officials advance notice of such an address change.

D. Identification Requirements

Both federal law and some new state laws have made voter identification requirements stricter over the years. This trend is particularly troublesome for low-income individuals, particularly homeless persons. The difficulty in obtaining or replacing photo identification (ID) cards and the costs associated with these cards impose severe burdens on homeless individuals. Most homeless people cannot afford a photo ID. Moreover, due to their transience, many homeless people cannot maintain their personal belongings such as identification documents. For example, homeless people living outside may be subjected to police sweeps, possibly resulting in the destruction of their property. When a homeless person loses identification documents, state identification issuance requirements can make it impossible to obtain a replacement ID. For example, since many states require a birth certificate to obtain an ID but require an ID to obtain a birth certificate, many homeless people cannot obtain either. Many states have made their requirements for issuance of identification cards even more stringent since September 11, 2001. The newly enacted federal Real ID Act could make the problem worse if the national standards imposed on states for the issuance of identification cards become even more stringent than state requirements.

In its effort to ensure the accuracy of the country’s voting rolls, the Help America Vote Act of 2002 imposes identification requirements for certain voters in federal elections. Specifically, all voter applicants who have a driver’s license or who have ever been issued a social security number must disclose them at registration, and first-time voters who register by mail must document addresses if the state cannot verify them with driver’s license or social security numbers.

Significantly the Help America Vote Act prohibits the state from “accept[ing] or process[ing]” an application for voter registration unless the applicant has given the requested information. Thus any applicant with a valid driver’s license must disclose the license number at registration or the application will not be accepted or processed. Likewise, any applicant who has ever been issued

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12 42 U.S.C. § 1973gg-6(e) (2002). “Registrar’s jurisdiction” is defined as a city, town, borough, municipality, or a jurisdiction of a county, parish, or other unit that governs a larger territory if voter registration is maintained by a governmental entity that governs an area larger than a city. “Registrar’s jurisdiction” can also mean the territory of several municipalities if voter registration is maintained by an entity that governs registration for those areas. § 1973gg-6(j). Since these provisions guaranteeing a person’s ability to vote apply only to moves within both the same “registrar’s jurisdiction” and the same congressional district, the move would have to be within the geographical area covered by both the registrar’s jurisdiction and the congressional district. Note that some large cities have multiple congressional districts, and each state may define “registrar’s jurisdiction” differently.

13 § 1973gg-1(b).

14 Id.


18 Id. § 15483.

19 Id. § 15483(a)(5)(A)(i).
a social security number but who does not have a driver’s license must disclose the last four digits of the social security number.

The Help America Vote Act also sets out personal identification requirements for voters registering to vote by mail and who had not voted in an election for federal office in the state. One who registers by mail and seeks to vote in person must present to the appropriate election official either a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing the voter’s name and address. However, under the Act, mail-in registrants can avoid the requirement to present personal identification at the polls: (1) If the registrant submits a copy of one of the two forms of identification with the application, duplicate documentation is not required at the polls. (2) Additional documentation is not required if a registrant submits either a driver’s license number or the last four digits of a social security number with the application, so long as their accuracy is verified by an appropriate election official.

Mail-in voter registration may not be a viable option for homeless people due to difficulties in obtaining mail-in registration forms and paying for postage. Even if a homeless first-time voter were to register by mail, the ID requirements could pose problems. A homeless voter may either lack a current valid photo identification card or be unlikely to possess an alternative form of identification showing the voter’s address while living in a nontraditional dwelling. Even if the voter lives in a homeless shelter and therefore has an address, the voter would have no current utility bill or likely even bank statements or paychecks of any sort showing a residence address. While the catchall permitting the applicant to present any “other government document” showing the applicant’s address may be helpful for some homeless applicants, documents meeting this standard are undefined and subject to each state election official’s interpretation.

Exemptions from this documentation requirement at the polls may or may not benefit homeless applicants. Homeless applicants who are unable to show documentation at the polls probably cannot submit copies with their voting applications either. However, homeless applicants who have social security numbers can benefit from the exemption that excuses an applicant who has a driver’s license or social security number from presenting identification documents if the state can verify the applicant’s identity through state records. Note that the Help America Vote Act specifies that first-time voters who registered by mail and do not have the required personal identification documentation at the polls must nevertheless be allowed to cast a provisional ballot.

Matters of even greater concern are the voter photo identification requirements that states have passed since the Help America Vote Act. For example, Georgia and Indiana now have photo identification requirements for voting despite the difficulty of certain groups, particularly homeless people, in obtaining identification cards.

Georgia last year introduced a law restricting acceptable forms of identification at the polls.
the polls to a Georgia driver’s license, a state ID card, a valid U.S.-issued passport, a U.S. government employee ID card, a military ID card, or a tribal ID card. Georgia’s photo identification requirement hampers many residents’ right to vote. For example, to obtain a state ID card, one must travel to a Department of Driver Services location. Only fifty-six of these offices are in Georgia; none is in Atlanta, the state’s largest city. Many low-income people have difficulty utilizing any of these offices, with so few locations and limited hours.

Even if one overcomes this hurdle, one must then present an original or certified copy of a birth certificate or other “verifiable evidence” stating one’s name and birth date in order to obtain an ID. This step is problematic for the many homeless persons who do not have the necessary documents. For example, in order to get a birth certificate in Georgia, one needs some form of photo ID; getting one without the other is thus extremely hard.

On top of these barriers are the costs of obtaining documents. To get a birth certificate in Georgia, one must pay a $10 search fee and another $10 to get a copy of the birth certificate. The expenses do not end with obtaining a secondary document such as a birth certificate. After obtaining a birth certificate, the voter must then pay $20 for a five-year photo ID or $35 for a ten-year photo ID. However, the 2005 law allows an indigent to get a free identification card by signing an affidavit of indigence and desire to obtain an ID card for voting purposes. The law also allows one without an ID at the polls to cast a provisional ballot; however, the voter still must present a photo ID to the registrar within two days of the election for the vote to count.

Advocacy groups last year filed a federal lawsuit challenging Georgia’s new voter photo ID requirement. In Common Cause v. Billups the court, finding that the plaintiffs were likely to succeed on the merits of their claims that the new voter photo ID requirement violated the Fourteenth Amendment by placing an undue burden on the right to vote and the Twenty-Fourth Amendment in that the requirement constituted a poll tax, granted a preliminary injunction. The court found that the photo ID requirement was a severe restriction on the right to vote, particularly for Georgia’s elderly, poor, and African American voters, since those without IDs or unable to obtain IDs would not be allowed to vote.

The state legislature and the defendants in the case justified the new photo ID requirement as a fraud prevention measure at the polls. Nevertheless, the court found that Georgia’s new voter photo ID requirement was not narrowly tailored to serve a compelling state interest in preventing voter fraud. The defendants did not have evidentiary support to show that voter fraud at the polls was widespread; in fact, the evidence indicated

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27See Ga. Code Ann. § 21-2-417. The new law does not allow voters to use forms of identification such as a birth certificate, social security card, certified naturalization document, current utility bill, bank statement, government check or paycheck, or other government documents at voting polls.


29See Georgia Division of Public Health, Vital Records, health.state.ga.us/programs/vitalrecords (last visited July 24, 2006).


34Id. at 1376.

35Id. at 1375.

36Id. at 1365.
that most incidents of voter fraud were perpetrated by voters casting absentee ballots; such voters are not required to present photo IDs. The court further held that the state had other significantly less burdensome alternatives, including the voter identification requirements the state previously used and criminal statutes penalizing voter fraud.

The court found that the costs of obtaining a photo ID in order to vote constituted a poll tax in violation of the Twenty-Fourth Amendment. The $20 fee for a five-year photo ID or the $35 fee for a ten-year photo ID amounted to a poll tax because voters who did not have IDs or did not need an ID for any other reason would have to pay these fees in order to vote. Even though an indigent person may sign an affidavit to get the fee waived, this is not, the court found, a viable way to get around having to pay the fee to vote because the option is available only to indigents, who may not know about the option. After the court issued its ruling, Georgia amended its law to allow anyone, not just indigents, to apply for a free identification card for voting purposes. Several of the original plaintiffs challenged the new version of the law in federal court. At a hearing on July 12 this year the same federal court issued a preliminary injunction to enjoin enforcement of the new law in the primaries six days later. Since the law went into effect only weeks before the primaries, the state did not have adequate time to alert voters of new requirements and voters did not have time to obtain IDs or arrange to vote by absentee ballot. Thus the court found the plaintiffs likely to succeed on their equal protection claim that the law unduly burdened the right to vote in the primaries.

Indiana last year introduced a law restricting the forms of acceptable identification at the polls to a document with the name and photo of the individual to whom Indiana or the United States issued the document. The document must show a date that the document is either not expired or expired after the date of the most recent general election.

In Indiana a voter unable to present identification at the polls may cast a provisional ballot. The provisional ballot counts only if the voter goes to the circuit court or the county election board before the second Monday following the election and signs an affidavit that the voter is indigent and unable to obtain an ID without paying the fee. Indiana added a provision allowing anyone of voting age without a driver’s license or state identification card to obtain a free identification card. However, to obtain such an ID, an individual must present other forms of identification, such as a birth certificate.

\[38\] Id.
\[39\] Id. at 1362.
\[40\] Id. at 1367.
\[41\] Id.
\[42\] Id.
\[43\] GA. CODE ANN. § 21-2-417.1.


\[46\] IND. CODE ANN. §§ 3-10-1-7.2, 3-5-2-40.5 (West 2006).

\[47\] Id. § 3-5-2-40.5.

\[48\] Id. § 3-11-8-25.1.

\[49\] Amendments to the law in 2006 changed the period for counting provisional ballots to within ten days after the election. Id. §§ 3-11.7-5-1, 3-11.7-5-2.5.

\[50\] Id. § 9-24-16-10.
certificate or social security card, with a verification of the individual’s address. Since homeless persons most likely have difficulty presenting such documentation, the provision does not necessarily help them overcome the photo identification barrier to voting.

Challenging Indiana’s new voter photo identification requirement in federal court, several organizations contended that the law substantially burdened the right to vote, constituted an unconstitutional poll tax, and was unconstitutionally vague. The court, citing the plaintiffs’ failure to present evidence of any identifiable voter who would be prevented from voting under Indiana’s new law, rejected all of their claims. The court did not view the photo ID requirement as a severe burden and found it to be a reasonable restriction serving the state’s interest in preventing voter fraud. Neither did the court view the photo identification requirement as a poll tax, especially since the law allowed for free identification cards to be issued to anyone over 18.

Federal and state identification requirements overall pose consequential barriers for homeless persons. Even in situations where the state waives fees for identification cards, homeless persons have difficulty producing necessary documentation to obtain IDs. By requiring voters to have photo IDs, states create one more obstacle in voting and likely deter potential voters.

E. Removal of Names from Voter Registration Lists

The National Voter Registration Act requires states to make reasonable efforts to remove from the voter rolls the names of those who have either died or moved away. Before the Act’s passage, states typically removed a name if the registrant either requested removal or failed to respond to a mailed residence verification notice. Under the Act, failure to respond to a residence verification notice alone is no longer sufficient to remove a person’s name; instead removal is authorized only when a registrant both fails to respond and has not voted in an election during the two general federal elections following the date of the notice. A National Voter Registration Act amendment, passed as part of the Help America Vote Act, clarifies that state officials may remove registrants who have neither responded to the residence verification notice nor voted in two or more consecutive elections for federal office.

Since homeless people may change their addresses often or may not receive mail regularly, the mailed residence verification notice poses a particular problem. If one does not receive the residence verification notice and subsequently fails to vote in two consecutive elections for federal office, one may be removed from the registration list and would have to reregister in order to vote.

53Id. at *35.
54Id. at *36–37.
55Id. at *38.
57E.g., before the enactment of the National Voter Registration Act, Maryland used to conduct an annual purge of registered voters who had failed to vote in any primary, general, or special election in the preceding five years. Local boards were also authorized to remove voters from the list if they did not respond to two mailed verification notices. See Maryland Green Party v. Maryland Board of Elections, 832 A.2d 214, 224 n.9 (Md. 2003).
5842 U.S.C. § 1973gg-6(d)(8). Two general elections for federal office typically would cover a four-year period. States are also restricted from removing names from their registration lists by setting out stringent requirements for the content and form of the residence verification notice. See id. § 1973gg-6(d)(2).
59See id. § 1973gg-6(b)(2) (amending Section 8(b)(2) of the National Voter Registration Act).
II. Recommendations

Homeless persons, service providers, advocates, and lawmakers can take steps to ensure that homeless people are not denied the right to vote.

A. Educating the Public on Homeless Voting Rights

State election officials and local advocates should conduct public education campaigns to inform people who are homeless that they do not need a traditional dwelling to vote. Government officials should make sure that registration personnel and poll workers know the state law concerning homeless persons’ ability to register and vote. Election officials should train registration personnel on how to help homeless persons designate places of residence on registration forms.

While homeless people need not reside in a traditional dwelling in order to register to vote, they should take care when listing residence locations on voter registration forms. In 2005 a county commissioner in North Carolina challenged hundreds of homeless voters’ registration forms because their listed place of residence was a day center—a place where they are not allowed to sleep. Voter registration agents should become familiar with state law defining residency. For example, Illinois election law expressly allows a homeless person to use a shelter, day shelter, or private residence as a mailing address for voter registration purposes. The mailing address also constitutes the homeless person’s residence for voting purposes. Lawmakers can help homeless people and voter registration agents avoid confusion in registering by enacting election laws like Illinois’s.

Advocates and service providers can help by informing homeless individuals that they are eligible to register and vote even though they may not live in a traditional residence. Further, advocates and service providers can encourage state election officials to ensure that registration officials and poll workers are aware that homeless persons are eligible to register and vote.

B. Overcoming Mailing Address Obstacles

Lawmakers and advocates can help homeless people register and vote by assisting them in finding mailing address options. Lawmakers at the state and federal level should urge the U.S. Postal Service to allow no-fee post office boxes for homeless people and the general delivery option at more postal offices per city, along with expanded times to pick up mail. Local governments should establish mailing address alternatives, such as mail delivery to accessible city government offices, for people who are homeless. For example, some states allow homeless people to register to vote by using the address of courthouses or county clerks’ offices.

C. Overcoming Mobility Problems

Election officials and advocates can ensure that homeless people are not denied the right to vote due to mobility issues. Election officials should make certain that poll workers are familiar with the laws allowing people who move within certain areas to vote. Further, election officials should disseminate information about the geographic areas covered by polling places, “registrar’s jurisdictions,” and congressional districts to poll workers and the general public.

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61 10 ILL. COMP. STAT. ANN. 5/3-2 (West 2004).
62 Id.
63 See, e.g., ARIZ. REV. STAT. ANN. § 16-121 (2006) (allowing homeless people to register by using the county courthouse address in the county in which they reside); N EBR. REV. STAT. § 32-317 (2006) (allowing a homeless person to use as a residential address for voter registration the office of the election commissioner or county clerk of the county in which the person lives).
People registering to vote should be aware of state registration deadlines. If one recently moved, one should update one’s voter registration information. Even if one moves between the close of registration and the election, one should try to vote since voting may still be permissible. If one encounters a problem at the polls because one’s name is not on a registration list, one still may cast a provisional ballot. The provisional ballot may or may not be counted depending on the voter’s eligibility to vote in that jurisdiction.

D. Overcoming Identification Document Problems

Lawmakers can help homeless people overcome another substantial barrier by amending identification issuance procedures and by not requiring photo identification to vote. A whole host of difficulties would be resolved if homeless persons could obtain identification documents more easily. Federal lawmakers should ensure that the implementing regulations of the Real ID Act establishing national identification issuance standards will allow states to include options in their identification issuance procedures to enable homeless people to obtain identification. For example, some states allow homeless people to prove residency through a letter from a service provider or shelter where they are staying or receive services. The Real ID Act regulations should allow states to have this flexibility in issuing identification cards. States should also waive applicable fees as necessary so that homeless and other low-income individuals can obtain identification cards.

State lawmakers should amend laws that impose stringent identification requirements for registering or voting since homeless people often cannot meet those requirements. States should try to find alternative ways for persons without identification to prove identity. For example, some states allow a voter without identification to vote after signing an affidavit of identity and qualifications as a voter in that district.

Although documentation requirements impose additional burdens upon homeless applicants, homeless registrants and voters may be able to overcome them with correct preparation. Since first-time mail-in registration imposes identification requirements that may be impractical and unavailable for homeless persons, individuals who are homeless may have an easier time registering to vote in person. Advocates and service providers can help them by becoming designated registration agencies through appropriate state-board-of-election procedures.

E. Avoiding Unnecessary Removal from Registration Lists

To prevent unnecessary removal of names from voter registration lists, local officials should designate accessible offices for homeless people to receive mail. By gaining access to a consistent and easily reached place to receive mail, homeless people can receive and respond to voter registration notices more easily.

Since involuntary registrant removal is triggered in part by the registrant’s failure to return a residence verification notice, registrants should check their mail regularly. Also, homeless registrants should be aware of the importance of notifying local voting registrars of any mailing address changes.

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64 See, e.g., OR. ADMIN. R. 735-016-0070 (2006) (allowing a homeless person to prove residency through, among others, a statement from a relief agency or shelter that the person receives services in Oregon or a document showing that the person receives public assistance from an agency of the State of Oregon). Maryland also allows certification of residency for a homeless person by a homeless shelter. See Maryland Motor Vehicle Administration, Sources of Proof, www.marylandmva.com/DriverServ/Apply/proof.htm (last visited July 24, 2006).

65 South Carolina and Nevada waive the identification fee for homeless individuals. S.C. CODE ANN. § 56-1-3350(2) (2005); Nev. REV. STAT. § 483.825 (2006).

Ensuring that every eligible citizen has access to voting regardless of socioeconomic status is vital to our democracy. Without the ability to exercise the right to vote, homeless persons do not have a voice in shaping the direction of our communities and country. While some barriers no longer present much of a challenge, other obstacles such as mailing address requirements, identification requirements, and the purging of voter registration lists remain troublesome. Policymakers at the state and federal level need to improve voting systems and laws to make sure that homeless people are not unconstitutionally disenfranchised. Only by removing barriers to voting can we ensure that people experiencing homelessness can make their voices heard on Election Day.

Authors’ Acknowledgment
We are grateful to Dara Smith for her research assistance on this article.